Policy/Program Memoranda

No. 134 -

Ontario Ministry
of
Education and Training

Ontario

Policy/Program Memoranda

Numbered policy directives are issued to district school boards and school authorities to outline the Ministry of Education's expectations regarding the implementation of ministry policies and programs.

Selected Policy/Program Memoranda are made available here for reference purposes only, and education personnel are advised to verify information before acting upon it.

A PDF file is available for some memoranda.

- **PPM 149:** Protocol For Partnerships With External Agencies For Provision Of Services By Regulated Health Professionals, Regulated Social Service Professionals, And Paraprofessionals (PDF, 40 KB)
- **PPM 148:** Policies Governing Admission To French-Language Schools In Ontario (PDF, 100 KB)
- **PPM 147:** Applications For Letters of Permission (PDF, 80 KB)
- **PPM 146:** Revisions to Credit Requirements to Support Student Success and Learning to 18 (PDF, 56 KB)
- **PPM 145:** Progressive Discipline and Promoting Positive Student Behaviour (PDF, 147 KB)
- **PPM 144:** Bullying Prevention and Intervention (PDF, 121 KB)
- **PPM 143:** Expectations Regarding Inclusion of Non-teaching Staff Affected by the 2006 Amendment to R.R.O. 1990, Regulation 304 (PDF, 20 KB)
- **PPM 142:** School Board Programs For Expelled Students (PDF, 83 KB)
- **PPM 141:** School Board Programs For Students On Long-Term Suspension (PDF, 96 KB)
- **PPM 140:** Incorporating methods of Applied Behaviour Analysis (ABA) into programs for students with Autism Spectrum Disorders (ASD) (PDF, 64 KB)
- **PPM 139:** Revisions to Ontario Secondary Schools (OSS) to support student success and learning to 18 (PDF, 39 KB)
  - Your new co-op advantage (PDF, 384 KB)
  - What do you need to graduate? (PDF, 39 KB)
  - Cooperative Education Fact Sheet (PDF, 112 KB)
- **PPM 138:** Daily Physical Activity in elementary schools, Grades 1□8 (PDF, 33 KB)
- **PPM 137:** Use of additional teacher resources to support student success in Ontario secondary schools (PDF, 30 KB)
- **PPM 136:** Clarification of section 49.1 of the *Education Act*: Education of persons unlawfully in Canada (PDF, 33 KB)
- **PPM 135:** Healthy foods and beverages in elementary school vending machines (PDF, 158 KB)
  - Dietitians of Canada: School Food and Nutrition Recommendations for Ontario Ministry of Education Regarding Snacks and Beverages Dispensed by Vending Machines(PDF, 103 KB)
  - Dietitians of Canada: Recommendations for School Food and Nutrition for Ontario Ministry of Education(PDF, 56 KB)
- **PPM 134:** Increase in the number of locally developed compulsory credit courses (PDF, 29 KB)
- **PPM 133:** Music Certificates Accepted for Credits (PDF, 101 KB)
- **PPM 132:** Prior Learning Assessment and Recognition (PLAR) for Mature Students: Implementation in Ontario Secondary Schools
- **PPM 131:** Home schooling

- **PPM 130:** School board programs for students who have received a full expulsion (PDF, 52 KB)
- **PPM 129:** Prior learning assessment and recognition (PLAR): Implementation in Ontario Secondary Schools
- **PPM 128:** The Provincial Code of Conduct and School Board Codes of Conduct (PDF, 84 KB)
- **PPM 127:** The Secondary School Literacy Graduation Requirement (PDF, 88 KB)
- **PPM 126:** Implementation of the Teacher-Adviser Program and use of the term "co-instructional activities"
- **PPM 124A:** Ontario Secondary School Diploma Requirement: Community Involvement Activities in English-Language Schools
- **PPM 123:** Safe arrivals
- **PPM 120:** School board policies on violence prevention in schools
- **PPM 119:** Developing and implementing equity and inclusive education policies in Ontario schools (PDF, 73 KB)
    - Ontario's equity and inclusive education strategy (PDF, 2.4 MB)
    - Quick Facts (PDF, 84 KB)
- **PPM 118:** Religious education programs offered in inspected private secondary schools
- **PPM 117:** Access to information on secondary school programs and to guidance services between coterminous school boards
- **PPM 116:** Integration of computers across the curriculum
- **PPM 108:** Opening and closing exercises in public elementary and secondary schools
- **PPM 89:** The residential demonstration schools for students with learning disabilities: General information and details of the referral process
- **PPM 85:** Educational Programs for Pupils in Government-Approved Care and/or Treatment Facilities
- **PPM 81:** Provision of Health Support Services in School Settings
- **PPM 76C:** Alternative Educational Programs and Services for Deaf, Blind, and Deaf-Blind Exceptional Pupils
- **PPM 76A:** Workers' Compensation coverage for students in work education programs
- **PPM 75A:** Carter Scholarship Program, 1994: Procedures and conditions of award
- **PPM 59:** Psychological Testing and Assessment of Pupils
- **PPM 53:** Ontario Scholar Program (PDF, 34 KB)
- **PPM 30:** Hairstylist programs in secondary schools
- **PPM 11:** Early identification of children's learning needs
- **PPM 9:** Reporting of children in need of protection
- **PPM 8:** Learning Disabilities
- **PPM 1:** Ontario Schools for the Blind and Deaf as Resource Centres

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Revoked 9th of September 2009

- PPM 7: Heritage Languages Program
- PPM 15: Supervision of Pupils at Lunch Hour
- PPM 16: Reproduction of Copyright Materials
- PPM 19: Remembrance Day Curriculum
- PPM 20: National Anthem
- PPM 23: Driver Education
- PPM 33: Employment of Continuing Education Teachers and Continuing Education Instructors
- PPM 60: Ministry Resource Document – Partners in Action: the Library Resource Centre in the School Curriculum
- PPM 65: 1. Non-Guideline Courses
  2. OSIS: Appendix B
  3. OSIS: Appendix C
- PPM 76: Custody and Guardianship of Minors
- PPM 84: Equal Educational Opportunity for Students
- PPM 96: Acquired Immune Deficiency Syndrome (AIDS) Education

- PPM 97: Programs Leading to Qualification as a Teacher of the Deaf, Blind, and Deaf-Blind
- PPM 102: Affirmative Action/Employment Equity for Women Employees of School Boards
- PPM 103: Termination of the Book Purchase Plan
- PPM 110: Interrelationship of Native-As-a-Second Language (NSL) and French-As-a-Second Language Programs
- PPM 112: Education about Religion in the Public Elementary and Secondary Schools
- PPM 113: Funding for Cross-Curricular Use of Computer Technology
- PPM 114: Requirements for Reporting Attendance in Registers

Revoked 18th of October 2006

- PPM 121: Suspension and Dismissal of Supervisory Officers
- PPM 95: Revised Guidelines for Special Education Additional Qualification Courses
- PPM 77: Tuberculosis Control Program
- PPM 54: Ministry of Education Training Programs for Teachers, 1988-89
- PPM 38: Principal's Qualification Program, 1995
- PPM 14: Supervisory Officers - Equal Employment and Promotion Opportunities

Revoked 24th of August 2004

- PPM 115: Program policy for elementary and secondary education
- PPM 109: Termination of the Learning Materials Development Plan
- PPM 107: Reduction of class size in grades 1 and 2
- PPM 58: Elementary school Core French programs
- PPM 45: The Ontario Assessment Instrument Pool/Banque d'instruments de mesure de l'Ontario (OAIP/BIMO)
- PPM 36: Clarification of funding policy on adult education

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Ontario Ministry of Education

Policy/Program Memorandum No. 134

Date of Issue: September 13, 2004 **Effective:** Until revoked or modified

Subject: INCREASE IN THE NUMBER OF LOCALLY DEVELOPED COMPULSORY CREDIT COURSES

Application:
Directors of Education
Secretaries of School Authorities
Program Superintendents
Principals of Elementary Schools
Principals of Secondary Schools
Principals of Provincial and Demonstration Schools
Principals of Inspected Private Schools
Principal of the Independent Learning Centre

Reference: This memorandum provides a revision to section 7.1.2, Locally Developed Courses, of *Ontario Secondary Schools, Grades 9 to 12: Program and Diploma Requirements, 1999.*

Introduction

The purpose of this memorandum is to provide details for school boards and schools of a revision to section 7.1.2, Locally Developed Courses, of *Ontario Secondary Schools, Grades 9 to 12: Program and Diploma Requirements, 1999* (OSS) regarding the number of locally developed compulsory credit courses that boards may develop and that students may take to meet the requirements for the Ontario Secondary School Diploma (OSSD) and the Ontario Secondary School Certificate (OSSC).

The requirements outlined in this memorandum apply to the offering and taking of locally developed compulsory credit courses in the 2004–05 school year and in subsequent years. *Compulsory credits will not be granted retroactively for successfully completed locally developed optional credit courses.*

For policy on the development and approval of locally developed courses, refer to the document *Guide to Locally Developed Courses, Grades 9 to 12: Development and Approval Procedures, 2004.*

Revised Requirements

English-language boards may develop locally and offer one Grade 9 course in English, in mathematics, and in science and one Grade 10 course in English, in mathematics, and *either* in science *or* in Canadian history that can be counted as a compulsory credit in that discipline. A student in an English-language board may count *no more than six* such locally developed courses as compulsory credits.

French-language boards may develop locally and offer one Grade 9 course in français, in mathematics, in science, and in English and one Grade 10 course in français, in mathematics, and *either* in science *or* in Canadian history that can be counted as a compulsory credit in that discipline. A student in a French-language board may count *no more than seven* such locally developed courses as compulsory credits.

Locally developed compulsory credit courses may only be used to meet the compulsory credit requirements that they have been designed to meet. They may not be used as substitutions for any courses that meet any other compulsory credit requirements (see OSS, section 3.2, Substitutions for Compulsory Courses).

compter comme des crédits obligatoires dans leur discipline. L'élève d'un conseil de langue anglaise ne peut compter *au maximum que six* de ces cours élaborés à l'échelon local en tant que crédits obligatoires.

Les conseils scolaires de langue française peuvent élaborer à l'échelon local et offrir un cours de 9^e^ année de français, de mathématiques, de sciences et d'*English* ainsi qu'un cours de 10^e^ année de français, de mathématiques et un cours de 10^e^ année *soit* en sciences, *soit* en histoire canadienne, qui peuvent compter comme des crédits obligatoires dans leur discipline. L'élève d'un conseil de langue française ne peut compter *au maximum que sept* de ces cours élaborés à l'échelon local en tant que crédits obligatoires.

Les cours élaborés à l'échelon local donnant droit à des crédits obligatoires ne peuvent servir qu'à satisfaire aux exigences en matière de crédits obligatoires pour lesquelles ils ont été conçus. Ils ne peuvent pas servir à remplacer d'autres cours qui satisfont à d'autres exigences en matière de crédits obligatoires (voir la section 3.2 intitulée « Remplacement de cours obligatoires » du document *Les écoles secondaires de l'Ontario, de la 9^e^ à la 12^e^ année – Préparation au diplôme d'études secondaires de l'Ontario*).

Ontario Ministère de l'Éducation

Politique/Programmes Note n° 134

Date d'émission : Le 13 septembre 2004 **En vigueur :** Jusqu'à abrogation ou modification

Objet : AUGMENTATION DU NOMBRE DE COURS ÉLABORÉS À L'ÉCHELON LOCAL DONNANT DROIT À DES CRÉDITS OBLIGATOIRES

À l'attention de : Directrices et directeurs de l'éducation
Secrétaires des administrations scolaires
Surintendantes et surintendants des programmes
Directrices et directeurs des écoles élémentaires
Directrices et directeurs des écoles secondaires
Directrices et directeurs des écoles provinciales et des écoles d'application
Directrices et directeurs des écoles privées inspectées
Directeur du Centre d'études indépendantes

Référence : La présente note constitue une révision de la section 7.1.2 intitulée « Cours élaborés à l'échelon local » du document *Les écoles secondaires de l'Ontario, de la 9^e^ à la 12^e^ année – Préparation au diplôme d'études secondaires de l'Ontario, 1999.*

Introduction

La présente note vise à fournir aux conseils scolaires et aux écoles des précisions sur une révision apportée à la section 7.1.2 intitulée « Cours élaborés à l'échelon local » du document *Les écoles secondaires de l'Ontario, de la 9e à la 12e année – Préparation au diplôme d'études secondaires de l'Ontario, 1999,* qui concerne le nombre de cours donnant droit à des crédits obligatoires que les conseils scolaires peuvent élaborer à l'échelon local et que les élèves peuvent suivre pour satisfaire aux exigences du diplôme d'études secondaires de l'Ontario et du certificat d'études secondaires de l'Ontario.

Les exigences énoncées dans la présente note s'appliquent aux cours élaborés à l'échelon local donnant droit à des crédits obligatoires qui sont offerts et suivis au cours de l'année scolaire 2004-2005 et par la suite. *On n'accordera pas de crédits obligatoires rétroactivement pour la réussite de cours élaborés à l'échelon local donnant droit à des crédits optionnels.*

Pour connaître les politiques s'appliquant à l'élaboration et à l'approbation des cours élaborés à l'échelon local, veuillez consulter le *Guide pour les cours élaborés à l'échelon local de la 9e à la 12e année – Processus d'élaboration et d'approbation, 2004.*

Exigences révisées

Les conseils scolaires de langue anglaise peuvent élaborer à l'échelon local et offrir un cours de 9e année d'*English*, de mathématiques et de sciences ainsi qu'un cours de 10e année d'*English* et de mathématiques et un cours de 10e année *soit* en sciences, *soit* en histoire canadienne, qui peuvent

Ontario Ministry of Education

Policy/Program Memorandum No. 135

Date of Issue: October 20, 2004

Effective: Until revoked or modified

Subject: HEALTHY FOODS AND BEVERAGES IN ELEMENTARY SCHOOL VENDING MACHINES

Application:
Directors of Education
Supervisory Officers and Secretary-Treasurers of School Authorities
Principals of Elementary Schools

Introduction

The Ontario government is committed to supporting a healthy school environment. Good nutrition is essential for the proper growth and development of children, and is likely to have a beneficial effect on their learning ability. It also plays a significant role in the prevention of obesity and such chronic diseases as heart disease, diabetes, and cancer.

The purpose of this memorandum is to set out clear, recommended standards for school boards,[1] in response to request for direction, regarding the sale of foods and beverages through vending machines in elementary schools.[2] It is in the interests of Ontario children that they be encouraged to choose foods and beverages that are necessary for proper growth, and to develop healthy eating habits that can be maintained throughout their lives. School boards should ensure that any food and beverage items that are available for sale in their elementary schools are healthy and nutritious.

Role of School Boards Regarding Foods and Beverages in Vending Machines

Effective immediately, school boards should restrict the sale of all food and beverage items in elementary school vending machines to those that are healthy and nutritious, in accordance with the recommended standards set out in this memorandum. Boards should work with their vending-machine providers to achieve the recommended standards in elementary schools as soon as possible. Only foods and beverages that contribute to the nutritional well-being of students should be dispensed through school vending machines. Boards should review all current contracts with vending-machine providers, and ensure that all future contracts with vending-machine providers comply with the provisions in this memorandum.

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[1] In this document, *school board(s)* and *board(s)* refer to district school boards and school authorities.

[2] *Elementary school(s)* refers to publicly funded schools that have students from Junior Kindergarten to Grade 8.

Required School Board Reports

In accordance with paragraph 27.1 of subsection 8(1) of the Education Act, school boards are required to report to their district office of the Ministry of Education on their progress in achieving the recommended standards in the selection of foods and beverages sold through vending machines in their elementary schools.

The form to be used for the report will be distributed to school boards shortly through their district office.

School boards are required to submit their completed report to the ministry through their district office no later than January 14, 2005. Boards are also required to make their report available to their school community through their school councils and to place it on their public website.

Rationale for Recommending Standards for Foods and Beverages

Having standards for foods and beverages sold in elementary school vending machines is an important first step in promoting a healthy school community. It helps ensure that healthy food and beverage choices are available for Ontario's students, and reinforces the messages delivered to children through *The Ontario Curriculum, Grades 1 to 8: Health and Physical Education, 1998.*

Given the amount of time that children spend in school, the school environment can profoundly influence students' attitudes, preferences, and behaviours. The school plays a critical role in helping students to learn about proper nutrition and to develop good eating habits, and thus offers an opportunity for children to be exposed to a variety of healthy foods and beverages. Since "well-nourished children … are more likely to be better prepared to learn, be active, and maintain their health as adults",[3] the development of good eating habits at a young age should be encouraged not only because it may have a beneficial effect on children's performance in school but also because it may help them maintain a healthy lifestyle as adults.

A recent report produced by Dietitians of Canada for the ministry, which accompanies this memorandum, expresses concern, however, about the trend towards poor eating habits. It draws upon various studies of children's eating patterns, and points out, for example, that the poor eating habits of many children (e.g., eating too much and eating nutritionally inadequate foods) have resulted in an increase in childhood obesity and type 2 diabetes, and that the combination of physical inactivity and poor eating habits in the pre-teen years has resulted in a dramatic increase in childhood obesity in Canada over the past twenty years.[4] It also expresses concern that the poor eating behaviours established in childhood are likely to continue into adulthood, increasing the risk that people will develop such

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[3] Ontario Society of Nutrition Professionals in Public Health, School Nutrition Workgroup Steering Committee, *Call to Action: Creating a Healthy Eating Environment*, 2004, p.1; quoted in: Dietitians of Canada, "School Food and Nutrition Recommendations for Ontario Ministry of Education Regarding Snacks and Beverages Dispensed by Vending Machines" (Toronto: Dietitians of Canada, 2004), p.1.

[4] Dietitians of Canada, "School Food and Nutrition Recommendations for Ontario Ministry of Education Regarding Snacks and Beverages Dispensed by Vending Machines", pp. 8–9.

serious diseases as cancer and cardiovascular disease. A study by the Heart and Stroke Foundation of Canada indicates that many children between the ages of nine and twelve already have lifestyle habits that could increase the risk of their developing cardiovascular disease, as adults, even in their thirties.[5] Research also indicates that, since many children do not consume nutritionally balanced or adequate diets, they have low intakes of many of the foods recommended in the four food groups of *Canada's Food Guide to Healthy Eating*. In general, children in elementary school grades are consuming fewer servings of fruits, vegetables, and milk products than are required.

The availability of foods and beverages with a higher fat and/or sugar content, such as chips, chocolate bars, candy, and soft drinks, has been identified as a major challenge in promoting healthy eating habits among school-age children. Students who have not had breakfast and/or who have not taken a lunch to school may buy food from vending machines. As Dietitians of Canada concludes in its report, when nutritionally inadequate foods are available and promoted at school every day, even along with healthier foods, it becomes increasingly difficult for students to have a healthy diet. Studies show that it is more effective to offer only healthy foods and beverages so that students do not have to make choices between nutritious and nutritionally inadequate foods and beverages.

As the research suggests, these findings have implications for the overall health and well-being of Ontario's children. Elementary schools have an important role in helping students lead healthier lives.

Recommended Standards for Foods and Beverages

Dietitians of Canada has examined the nutritional content of foods and beverages currently available in elementary school vending machines across Ontario. Various foods and beverages are currently available in these vending machines, and the dietitians have found that some of these are nutritious, and are thus recommended for elementary school students, and that some are not.

Among the beverages currently available in elementary school vending machines, lower-fat and non-fat milk and 100 per cent fruit juice were recommended as healthy choices that provide good sources of essential nutrients. Water was also a recommended choice. Soft drinks, fruit drinks, and sport drinks were not recommended as healthy choices.

Among the foods that are currently available in elementary school vending machines, foods such as fruit and fruit cups were recommended as healthy choices that provide good nutrition. Foods such as chips, chocolate bars, candy, cakes, doughnuts, and pastries were not recommended as healthy choices, owing to their lack of nutritional value and/or high caloric value. It was also suggested that such foods as granola bars, crackers, cookies, popcorn, and pretzels might be considered appropriate, depending on their specific ingredients and nutritional value. It is strongly recommended that foods containing peanuts or other nuts not be made available in schools, since some students may have life-threatening allergies to nuts.

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5. Heart and Stroke Foundation of Canada, "Report Card on Health – Tweens Could Be Headed for Trouble" (2002); cited in: Dietitians of Canada, "School Food and Nutrition Recommendations for Ontario Ministry of Education Regarding Snacks and Beverages Dispensed by Vending Machines", p. 9.

For more information on the Dietitians of Canada's review of the foods and beverages found in elementary school vending machines, please see the second report that accompanies this memorandum.[6]

In Appendix 1, charts are provided that outline the recommended standards for foods and beverages in elementary school vending machines. These recommendations are adapted from the Dietitians of Canada's second report mentioned above, and are consistent with the direction provided in *Canada's Food Guide to Healthy Eating.*

In Appendix 2, the criteria used by Dietitians of Canada to evaluate various foods and beverages are provided. Foods and beverages that meet these criteria are recommended for inclusion in elementary school vending machines. Boards are strongly encouraged to use these criteria in selecting foods and beverages for vending machines.

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[6] Dietitians of Canada, "Recommendations for School Food and Nutrition for Ontario Ministry of Education" (Toronto: Dietitians of Canada, 2004).

Appendix 1: Recommended Standards for Foods and Beverages Sold in Elementary School Vending Machines

Foods

Food Group	**Criteria for Selection**[7]	**Recommended Foods (Snacks) and Serving Sizes**[8]	**Essential Nutrients Provided**	**Comments**
Grain Products *Choose whole grain and enriched products more often.*	– low in saturated fat – source of fibre – source of B vitamins and iron – fat limit of 5 g	– grain-based bars: 30 to 40 g – muffins: 55 g – snack breads: 55 g – cookies: 30 g – crackers: 20 g	– complex carbohydrates (starch) – B vitamins – fibre	– Foods high in saturated and trans fat[9] increase the risk of coronary artery disease.
Vegetables and Fruit *Choose dark green and orange vegetables and fruit more often.*	– good source of vitamin C and/or vitamin A and/or folacin and/or fibre	– fresh, whole fruit: 1 piece – canned fruit or 100% fruit sauces: 125 mL – fresh vegetables: 125 g (with a low-fat dip) – 100% dried fruit: 40 g	– vitamin C – vitamin A – folacin – fibre	– Fruits and vegetables provide needed nutrients. – If dried fruit is eaten as a snack, brushing of teeth should be encouraged. It is recommended that dried fruit be eaten as part of a meal.
Milk Products *Choose lower-fat milk products more often.*	– lower fat (*yogurt:* 2% or less M.F.; *cheese:* 20% or less M.F.) – source or good source of calcium	– yogurt: 175 mL – cheese: 30–50 g – milk puddings: 125 mL	– calcium – vitamin A	
Meat and Alternatives *Choose leaner meats, poultry, and fish, as well as dried peas, beans, and lentils more often.*	– sodium: 480 mg or less – source of B vitamins – source of iron	– ready-to-eat legumes (plain, uncoated): 30 g	– protein – B vitamins	– It is strongly recommended that foods containing peanuts or other nuts not be made available in schools, since some students may have life-threatening allergies to nuts.
Other Foods *Taste and enjoyment can also come from other foods and beverages that are not part of the four food groups.*	– low in fat and low in saturated fat – sodium: 480 mg or less – source of at least one vitamin or mineral	– pretzels: 50 g – plain popcorn: 50 g – baked chips: 50 g		

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7. Criteria are based on the nutrient content claims in the Canadian Food Inspection Agency's *Guide to Food Labelling and Advertising* (Ottawa: Canadian Food Inspection Agency, 2003).

8. Serving sizes are based on information in *Canada's Food Guide to Healthy Eating* and the Dietary Reference Intakes given in the Canadian Food Inspection Agency's *Guide to Food Labelling and Advertising.*

9. Trans fat is created when an unsaturated fat is processed or hydrogenated. Trans fat raises LDL (bad) cholesterol and lowers HDL (good) cholesterol. Trans fat is found in many crackers, cookies, and commercially baked products.

Beverages

Food Group	**Criteria for Selection**[10]	**Recommended Beverages and Serving Sizes**[11]	**Essential Nutrients Provided**	**Comments**
Milk and Milk Products *Choose lower-fat milk products more often.*	– lower-fat or non-fat (2% M.F. or less) – good or excellent source of calcium – excellent source of vitamin D	– milk – flavoured milk – yogurt-based drinks – calcium-fortified soy beverages – 250 mL for all	– calcium – vitamin D	– Serving size should be 250 mL, consistent with *Canada's Food Guide to Healthy Eating.* – There is an increased need for calcium prior to puberty: 3 to 4 servings per day.[12]
Vegetables and Fruit *Choose dark green and orange vegetables and fruit more often.*	– good source of vitamin C and/or vitamin A and/or folacin	– 100% fruit juice – vegetable juice – 125–250 mL for all	– vitamin C and/or vitamin A and/or folacin	– Serving size should be limited to 250 mL, which is equal to 2 servings of fruit or vegetables, or 125 mL, which is equal to 1 serving.
Other		– water		– Plain water is a healthy beverage choice, and is the preferred fluid for proper hydration.

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[10] Criteria are based on nutrient content claims in the Canadian Food Inspection Agency's *Guide to Food Labelling and Advertising* (Ottawa: Canadian Food Inspection Agency, 2003).

[11] Serving sizes are based on information in *Canada's Food Guide to Healthy Eating* and the Dietary Reference Intakes given in the Canadian Food Inspection Agency's *Guide to Food Labelling and Advertising.*

[12] *Canada's Food Guide to Healthy Eating – Focus on Children Six to Twelve Years, Background for Educators and Communicators* (Ottawa: Public Works and Government Services Canada, 1997), p.12.

Appendix 2: Criteria for Evaluating the Nutritional Value of Foods and Beverages

Fat

- *low fat* – 3 g or less
- *low in saturated fat* – 2 g or less of saturated fatty acids and trans fatty acids combined, and 15% or less energy from saturated fatty acids plus trans fatty acids

Calcium

- *source of calcium* – 5% or more of the recommended daily intake[13] (55 mg or more of calcium)
- *good source of calcium* – 15% or more of the recommended daily intake (165 mg or more of calcium)
- *excellent source of calcium* – 25% or more of the recommended daily intake (275 mg or more of calcium)

Vitamins and Minerals

- *good source of vitamin C* – 30% or more of the recommended daily intake (18 mg or more)
- *good source of vitamin A* – 15% or more of the recommended daily intake (150 RE or more)
- *good source of folacin* – 15% or more of the recommended daily intake (33 mcg or more)
- *source of B vitamins* – 5% or more of the recommended daily intake of thiamine (0.07 mg or more), riboflavin (0.08 mg or more), niacin (1.15 NE or more), vitamin B6 (0.09 mg or more)
- *excellent source of vitamin D* – 25% or more of the recommended daily intake (1.25 mcg)
- *source of iron* – 5% or more of the recommended daily intake (0.7 mg or more)

Fibre

- *source of fibre* – 2 g or more
- *good source of fibre* – 4 g or more

Sodium

480 mg or less sodium[14]

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[13] "Recommended daily intake" means the same as "daily value", which is the term often used on food labels.

[14] Recommendation is based on the heart health claim in: Canadian Food Inspection Agency, *Guide to Food Labelling and Advertising* (2003), Table 8-1, Summary Table of Diet-Related Health Claims.

Ontario Ministry of Education

Policy/Program Memorandum No. 136

Date of Issue: December 3, 2004 **Effective:** Until revoked or modified

Subject: CLARIFICATION OF SECTION 49.1 OF THE EDUCATION ACT: EDUCATION OF PERSONS UNLAWFULLY IN CANADA

Application: Directors of Education
Secretaries of School Authorities

Introduction

The purpose of this memorandum is to assist school boards[1] in applying section 49.1 of the Education Act, which deals with education of children who are living unlawfully in Canada or whose parents[2] are living unlawfully in Canada.

Section 49.1

Section 49.1 was added to the Education Act in 1993 to ensure that minor children are not denied an education because of their immigration status or that of their parents. The section reads as follows:

> A person who is otherwise entitled to be admitted to a school and who is less than eighteen years of age shall not be refused admission because the person or the person's parent or guardian is unlawfully in Canada.

Responsibilities of Boards

The admission criteria that are applied to a child who is, or whose parents are, unlawfully in Canada should be no different from the criteria applied to any other child seeking admission to a school under the jurisdiction of a school board. Where the child is otherwise entitled to be admitted to a school, the fact that the child or the child's parents are unlawfully in Canada should not be a barrier to the child's admission. In other words, no children should be excluded from school merely because they or their parents are unlawfully living in Canada.

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[1] Under the Education Act, *board* means a district school board or a school authority.

[2] In this document, *parent(s)* refers to parent(s) and guardian(s).

When admitting children from other countries, a board may make inquiries to determine whether a child is entitled to be admitted to school with or without the payment of a fee, and may require proof of entitlement, provided that the standard of proof is no higher than that applied to other children. Once admitted to school, students to whom section 49.1 applies would, in most cases, be designated "pupils of the board" and would therefore generate provincial grants.

Accordingly, no children should be refused admission to school solely because of their or their parents' inability to produce any of the following:
- proof of immigration status or application for legal immigration status
- a work permit or social insurance number
- health documentation that is different from that required of all other children
- other documentation not required of other children seeking admission to school

Please note, however, that for admission to a school in a French-language school board, proof of Canadian citizenship may be required.

Citizenship and Immigration Canada (CIC) has confirmed that there is no federal legal requirement for boards to refer families without immigration status or documentation to a local CIC office to obtain documents before their child is admitted to school.

The following is an example of a situation that a board might encounter:

> A family arrived in Canada as temporary residents in the visitor class, and has stayed in Canada beyond the period allowed on the visitor record or passport (usually six months from the date of arrival in Canada) without renewing the documentation. The family's visitor status has been lost, and under the Immigration and Refugee Protection Act (Canada), this family can now be considered to be living unlawfully in Canada. The parents now intend to stay in Canada, have established a residence in the jurisdiction of an Ontario school board, and have approached the board about registering their two children, aged eight and ten, at the local school.

In this example, section 49.1 would apply, and the children, who are of school age and are resident in the board's jurisdiction, should be admitted to a school, provided that there is no valid reason for refusing admittance.

Reasons for Refusal of Admission to School

There are many reasons under the Education Act why a child may not qualify to be admitted to school. However, the legislation applies equally to all children regardless of immigration status.

Compliance With Protection of Privacy Legislation

School boards are reminded that, when they collect personal information from an individual, they must give the individual notice of the collection, as required by the Municipal Freedom of Information and Protection of Privacy Act. That act sets out specific rules for the collection, use, and disclosure of personal information. In addition, parents should be told about the confidential manner in which the information will be kept. Any information kept in the Ontario Student Record (OSR) is also governed by the Education Act, which clearly sets out who may have access to a student's records.

Legal Advice

Boards are encouraged to consult their own legal counsel for advice on the application of section 49.1 in individual situations and for interpretation of other relevant sections of the Education Act and of other legislation.

Ontario Ministry of Education

Policy/Program Memorandum No. 137

Date of Issue: June 27, 2005 **Effective:** Until revoked or modified

Subject: USE OF ADDITIONAL TEACHER RESOURCES TO SUPPORT STUDENT SUCCESS IN ONTARIO SECONDARY SCHOOLS

Application: Directors of Education
Secretary/Treasurers of School Authorities
Principals of Secondary Schools

Reference: This memorandum revokes and supersedes section 5.1 of *Ontario Secondary Schools, Grades 9 to 12: Program and Diploma Requirements, 1999*, and modifies section 7.2 with respect to the teacher-adviser program; revokes the section entitled "The Teacher-Adviser Program" in *Choices Into Action: Guidance and Career Education Program Policy for Ontario Elementary and Secondary Schools, 1999*; revokes Policy/Program Memorandum No. 126, "Implementation of the Teacher-Adviser Program and Use of the Term 'Co-Instructional Activities'", July 27, 2000; and revokes the section "Teacher Adviser Program" in Business Memorandum 2001:B11, July 16, 2001.

Introduction

The purpose of this memorandum is to assist school boards[1] in allocating additional secondary school teachers to increase secondary school students' success, as measured by increased credit accumulation in Grades 9 to 12, improving graduation rates (especially four-year graduation rates), and decreasing dropout rates; and to enhance support to enable secondary students who are struggling to succeed to receive more individual attention. It is the ministry's expectation that student success will be the overarching priority for board decisions on staff plans for the additional teaching positions that are being funded by the province.

The Teacher-Adviser Program

Effective immediately, schools are no longer required to establish a teacher-adviser program, as defined in sections 5.1 and 7.2 of *Ontario Secondary Schools, Grades 9 to 12: Program and Diploma Requirements, 1999* (OSS) and in the section entitled "The Teacher-Adviser Program" in *Choices Into Action: Guidance and Career Education Program Policy for Ontario Elementary and Secondary Schools, 1999*. The intended purpose of the teacher-adviser program was to ensure that students receive

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[1] Under the Education Act, *board* means a district school board or a school authority.

personal attention and encouragement, and this continues to be an important goal in education programming decisions at all levels of the system. Strong student-teacher relationships are critical to student engagement, achievement, and success, particularly for students who are struggling to succeed.

It is the intention of the Ministry of Education to recommend to the government that it introduce legislative changes to the Education Act, revoke Ontario Regulation 274/01, and make the necessary amendments to the 2005–06 Grants for Student Needs – Legislative Grants Regulation to effect these changes regarding the teacher-adviser program. The goals of the teacher-adviser program are still worthwhile. If changes to the legislation are passed, it is expected that these goals will be met in the future, in part, through individual and small-group student mentoring and advocacy as alternative duties, and, in part, through the additional dedicated secondary staff for Student Success, as outlined below.

It continues to be of critical importance for all students, and particularly those who are at risk of not graduating, that boards and schools provide comprehensive and effective guidance and career education programs and support to students, as outlined in *Choices Into Action.*

Responsibilities of Boards

OSS sets out the goals for, and policy and program requirements governing, secondary education in the province. These include the expectation that the secondary program will prepare students for further education and work, promote a high standard of achievement, and provide all students with the learning opportunities and support they need, including support for students at risk. As set out in section 8.2, school boards are responsible for "reviewing the allocation of resources to determine appropriate support for the implementation of the secondary school policies and programs". This memorandum provides additional information for boards to use in making such determinations with respect to the additional dedicated secondary staff for Student Success, funded by the ministry beginning in 2005–06.

The ministry recognizes that such factors as geography and demographics have an impact on decisions about how to use resources. Boards are in the best position to determine how to deploy staff funded through the current student grant structure. However, boards are expected to use the additional secondary education resources for Student Success provided by the ministry to improve student success through the following eligible uses:

- assignment of Student Success teachers who know and track the progress of students at risk of not graduating; who support school-wide efforts to improve outcomes for students struggling with the secondary curriculum; who re-engage early school leavers; who provide direct support/instruction to these students in order to improve student achievement, retention, and transitions; and who work with parents[2] and the community to support student success. These teachers may be assigned to areas such as alternative education, cooperative education, guidance, and learning resource centres.
- improved program availability for students, through the offering of more sections in the following courses/programs: locally developed compulsory credit courses, applied courses, workplace preparation courses, college preparation courses, learning strategies courses, career-related senior

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[2] In this document, *parent(s)* refers to parent(s) and guardian(s).

course packages (e.g., in building construction, hospitality), English as a second language/English Literacy Development (ESL/ELD) and l'actualisation linguistique en français/le perfectionnement du français (ALF/PDF) courses, guidance courses related to cooperative education, and alternative programs, including credit recovery (especially for Grades 9 and 10)

- distribution of additional teachers among the board's secondary schools on the basis of student needs
- appropriate teacher assignments to strengthen student success

Reporting Requirements

Beginning in 2005–06, each school board will be required to report on their use of additional teaching staff and the achievement of improved student results on their Annual Student Success Action Plan and Report. These reports will be required in addition to any other reporting that will be required by the Ministry of Education through its business processes, including related financial reporting requirements associated with the new teaching resources that will be defined as part of the annual education-funding grant-regulations process and a related business memorandum.

Ontario Ministry of Education

Policy/Program Memorandum No. 138

Date of Issue: October 6, 2005

Effective: Until revoked or modified

Subject: DAILY PHYSICAL ACTIVITY IN ELEMENTARY SCHOOLS, GRADES 1–8

Application: Directors of Education
Supervisory Officers and Secretary-Treasurers of School Authorities
Principals of Elementary Schools

Introduction

The Ontario government is committed to supporting a healthy school environment. Physical activity is essential for the proper growth and development of children and youth. Providing elementary students[1] with opportunities to be physically active can have a positive impact on their physical, mental, and social well-being. In particular, physical activity is likely to have an impact on students' achievement, readiness to learn, behaviour, and self-esteem. Positive experiences with physical activity at a young age also help lay the foundation for healthy, productive lives.

Physical inactivity has become a serious health and social issue for Canadian children and youth. Research indicates that activity levels for the majority of children and youth are not sufficient for healthy growth and development, and that many young people do not have an opportunity to be physically active every day.[2] In addition, during the past twenty-five years, obesity rates among children have increased substantially, with the result that a large number of children face the risk of developing such serious illnesses as heart disease, type 2 diabetes, hypertension, stroke, and some cancers.[3]

In this context, it should also be noted that Ontario's Chief Medical Officer, Dr. Sheela Basrur, has called on "all levels of government, the health sector, the food industries, workplaces, schools, families and individuals to become part of a comprehensive province-wide effort to change all the factors that contribute to unhealthy weight. We must act now to create communities that promote healthy eating and regular physical activity."[4]

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[1] For the purposes of this memorandum only, *elementary students* refers to students in Grades 1 to 8 in publicly funded schools.

[2] *2004 Ontario Chief Medical Officer of Health Report: Healthy Weights, Healthy Lives* (Toronto: Ministry of Health and Long-Term Care, Ontario, 2004), p. 2.

[3] *The World Health Report, 2002: Reducing Risks, Promoting Healthy Life* (Geneva, Switzerland: World Health Organization, 2002), p. 61.

[4] *2004 Ontario Chief Medical Officer of Health Report*, p. 3.

The Requirement

The Ministry of Education supports and promotes the participation of students in daily physical activity. Consequently, school boards[5] must ensure that all elementary students, including students with special needs, have a minimum of twenty minutes of sustained moderate to vigorous physical activity each school day during instructional time. The goal of daily physical activity is to enable all elementary students to improve or maintain their physical fitness and their overall health and wellness, and to enhance their learning opportunities.

Daily physical activity may include walking, active games, dance, aquatics, sports, and fitness and recreational activities (where facilities permit).

Implementation

Daily physical activity may be incorporated into the instructional day in a variety of ways. For instance, twenty minutes or more of physical activity during a scheduled health and physical education class would meet the daily physical activity requirement. Since physical activity is only one component of a complete health and physical education program, there will be days when a health and physical education class does not include physical activity. On these days and on days when no health and physical education class is scheduled, other opportunities for at least twenty minutes of physical activity during the instructional day will need to be provided. Integrating physical activity into other curriculum areas is one appropriate strategy.

All activities must be adapted, as appropriate, to ensure that students with special needs can participate in them. Such adaptations must be consistent with the accommodations and/or modifications that are typically found in a student's Individual Education Plan.

Since individual classes may be at different stages of implementation, daily physical activity may initially occur in several short sessions (a minimum of ten minutes each) over the course of the school day. Elementary school principals will make their best effort to ensure that students are receiving at least twenty minutes of sustained moderate to vigorous daily physical activity during instructional time as soon as possible, and will meet this objective by the end of the 2005-06 school year.

Safety

Providing physical and social environments that encourage and enable students to engage in safe and enjoyable physical activities will continue to be important. As indicated in *The Ontario Curriculum, Grades 1–8: Health and Physical Education, 1998*, procedures must be developed to ensure the highest level of safety, while allowing students to engage in a broad range of activities.

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[5] In this document, *school board(s)* and *board(s)* refer to district school boards and school authorities.

Reporting and Accountability

School boards will monitor the implementation of the policy on daily physical activity to ensure that all elementary students are provided with the opportunity to be active for at least twenty minutes each day during instructional time. School boards and principals should also take appropriate action to ensure that parents are kept informed of their children's participation in activities.

Ontario Ministry of Education

Policy/Program Memorandum No. 139

Date of Issue: February 1, 2006

Effective: As of September 1, **2005**

Subject: REVISIONS TO *ONTARIO SECONDARY SCHOOLS* (OSS) TO SUPPORT STUDENT SUCCESS AND LEARNING TO 18

Application:
Directors of Education
Secretary-Treasurers of School Authorities
Program Superintendents
Principals of Secondary Schools
Principals of Elementary Schools
Principals of Provincial and Demonstration Schools
Principals of Inspected Private Schools
Principal of the Independent Learning Centre

Reference: This memorandum provides revisions to *Ontario Secondary Schools, Grades 9 to 12: Program and Diploma Requirements, 1999* (OSS), sections 3.1.1 and 3.2 and Appendix 5.

INTRODUCTION

Secondary school students in Ontario deserve an educational advantage. The government is transforming and modernizing secondary schools to provide students with increased flexibility and more opportunities for high-quality, relevant learning experiences that build on their personal strengths and interests. Cooperative education credit courses serve as the education system's best and most successful example to date of a way of recognizing student learning outside the traditional classroom as a meaningful part of students' secondary education. The changes outlined in this memorandum support an expansion of cooperative education opportunities that will be recognized as meeting compulsory diploma requirements for those students who pursue such learning experiences as part of their secondary school program.

In December 2005, the government launched the third phase of its $1.3 billion multi-year Student Success Strategy to help increase the educational success of all Ontario secondary school students. The strategy includes expanded cooperative education programs and other experiential learning opportunities to help students gain the relevant skills and knowledge they need to prepare themselves for their destination of choice after graduation. Cooperative education programs include strong links to classroom subject expectations. They require close monitoring by teachers and workplace supervisors and alignment with assessment and evaluation policy. Students' readiness for workplace learning and an appropriate placement that matches their goals and interests will continue to be fundamental program requirements.

The expansion of eligible courses that are recognized for meeting the compulsory requirements for the Ontario Secondary School Diploma (OSSD) will increase flexibility and options for students, in keeping with the government's goals for phase three of its Student Success Strategy. Details of the expanded range of courses and of revisions to sections 3.1.1 and 3.2 and to Appendix 5 of OSS are provided for school boards[1] and schools in this memorandum. These changes are effective, retroactively, as of September 1, 2005.

REVISED REQUIREMENTS

Compulsory Credit Requirements

Section 3.1.1 ("Compulsory Credits (total of 18)") and Appendix 5 ("Compulsory Credits") of OSS are expanded by this memorandum to extend the range of courses that may be used to meet the "additional compulsory credit requirements" for the OSSD, as follows:

- *Group 1.* The additional compulsory credit requirement for group 1 may also be met with one credit earned through successful completion of one of the following courses:
  - Learning Strategies 1: Skills for Success in Secondary School, Grade 9, Open (GLS1O, GLE1O, GLE2O), described in *The Ontario Curriculum, Grades 9 and 10: Guidance and Career Education, 1999*
  - Discovering the Workplace, Grade 10, Open (GLD2O), described in *The Ontario Curriculum, Grades 10 and 12: Guidance and Career Education – Open Courses (Draft), 2004*
  - Designing Your Future, Grade 11, Open (GWL3O), described in *The Ontario Curriculum, Grades 11 and 12: Guidance and Career Education, 2000*
  - Leadership and Peer Support, Grade 11, Open (GPP3O), described in *The Ontario Curriculum, Grades 11 and 12: Guidance and Career Education, 2000*
  - Advanced Learning Strategies: Skills for Success After Secondary School, Grade 12, Open (GLS4O, GLE4O, GLE3O), described in *The Ontario Curriculum, Grades 11 and 12: Guidance and Career Education, 2000*
  - Navigating the Workplace, Grade 12, Open (GLN4O), described in *The Ontario Curriculum, Grades 10 and 12: Guidance and Career Education – Open Courses (Draft), 2004*
  - a cooperative education course, as described in *Cooperative Education and Other Forms of Experiential Learning: Policies and Procedures for Ontario Secondary Schools, 2000*

- *Group 2.* The additional compulsory credit requirement for group 2 may also be met with one credit earned through successful completion of a cooperative education course.

- *Group 3.* The additional compulsory credit requirement for group 3 may also be met with one credit earned through successful completion of a cooperative education course.

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[1] In this document, *school board(s)* and *board(s)* refer to district school boards and school authorities.

A maximum of *two* of the three additional compulsory credit requirements for groups 1, 2, and 3 may be met with credits earned through cooperative education.

Substitutions for Compulsory Credit Requirements

Section 3.2 (“Substitutions for Compulsory Courses”) and Appendix 5 (“Compulsory Credits”) of OSS are expanded by this memorandum to extend the range of courses that may be used through substitution to meet a compulsory credit requirement. The extended range of courses will include the following courses:

- Learning Strategies 1: Skills for Success in Secondary School, Grade 9, Open (GLS1O, GLE1O, GLE2O)
- Discovering the Workplace, Grade 10, Open (GLD2O)
- Designing Your Future, Grade 11, Open (GWL3O)
- Leadership and Peer Support, Grade 11, Open (GPP3O)
- Advanced Learning Strategies: Skills for Success After Secondary School, Grade 12, Open (GLS4O, GLE4O, GLE3O)
- Navigating the Workplace, Grade 12, Open (GLN4O)

A maximum of *one* credit earned for a learning strategies course may be used through substitution to meet a compulsory credit requirement.

The limit of three substitutions remains in effect.

Credits earned for cooperative education courses may not be used through substitution to meet compulsory credit requirements.

Ontario

YOUR NEW CO-OP ADVANTAGE

What's new?

You can now count up to two cooperative education credits towards the 18 compulsory credits needed for a high school diploma.

- If you are taking a co-op program this school year (2005–06), you can now count up to two credits you earn in the program as compulsory credits for your diploma.
- See your guidance counsellor, co-op teacher, or student success teacher right away to talk about these new opportunities.

Why take co-op?

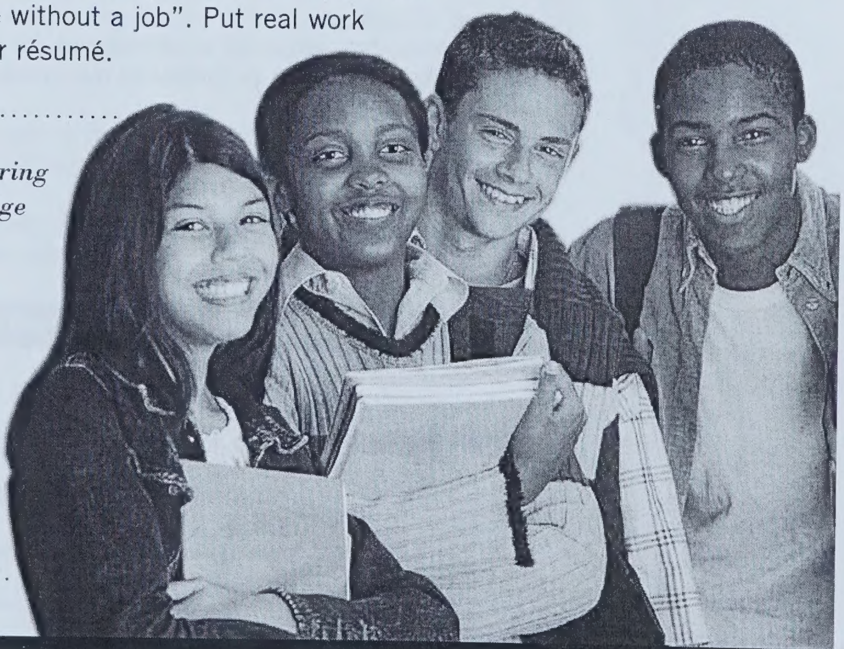
TEST-DRIVE A CAREER:	Do the job and get a chance to see if your career choice is really what you want before choosing your postsecondary destination.
BUILD YOUR SKILLS:	Work one-on-one with a co-worker in a program designed to meet your interests, needs, and strengths.
GET HANDS-ON WORK EXPERIENCE:	Overcome the problem of "no job without experience and no experience without a job". Put real work experience on your résumé.

felt I was treated like a colleague, not a student, during ny co-op at the city's fire department. The knowledge gained was unlike anything I have learned from textbook."

BRYAN P.

y healthcare support services co-op placement gave e multiple opportunities to experience the hospital tmosphere first-hand. It also allowed me to make nportant career decisions that will impact the rest f my life."

MIRANDA S.



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What do you need to graduate?

18 compulsory credits

Students must earn the following compulsory credits to obtain the Ontario Secondary School Diploma:

4 credits in English
3 credits in mathematics
2 credits in science
1 credit in Canadian history
1 credit in Canadian geography
1 credit in the arts
1 credit in health and physical education
1 credit in French as a second language
0.5 credit in career studies
0.5 credit in civics

Plus one credit from each of the following groups:

New 1 additional credit in English, or a third language, or social sciences and the humanities, or Canadian and world studies, **or guidance and career education, or cooperative education***

New 1 additional credit in health and physical education, or the arts, or business studies, **or cooperative education***

New 1 additional credit in science, or technological education, **or cooperative education***

In addition to the compulsory credits, students must complete:

✓ 12 optional credits
✓ 40 hours of community involvement activities
✓ the provincial literacy requirement

* A maximum of 2 credits in cooperative education can count as compulsory credits.

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Cooperative Education Fact Sheet*

All Ontario cooperative education programs have specific requirements, which include the following.

Pre-course interview

The purpose of this initial interview with the student applicant is to ensure that:

- the student is ready to undertake learning in the workplace (where a student's readiness or commitment is not sufficiently evident, his or her acceptance into the cooperative education program may be postponed until the requirements are met);
- the placement is appropriate to the student's goals and interests.

Pre-placement instruction

A minimum of fifteen hours of instruction must be provided on:

- health and safety in the workplace;
- employment law and unions;
- workplace ethics, human rights, and confidentiality.

Personalized placement learning plan (PPLP)

A PPLP must be developed for the student. It must be:

- based on expectations from the Ontario curriculum and industry-specific employers;
- developed by the cooperative education teacher in partnership with the employer and student (where the cooperative education teacher is not qualified in the related subject or the student has an Individual Education Plan, the cooperative education teacher will consult with the appropriate subject or special education teacher).

Assessment and evaluation

A qualified teacher will assess and evaluate a student's progress in achieving the expectations identified in the student's PPLP through regular workplace monitoring visits (a minimum of three per credit). During these visits, the teacher will:

- observe student performance of workplace tasks;
- conduct formal evaluations with the student's supervisor;
- troubleshoot problem situations;
- plan next steps in the student's learning.

Student achievement is also assessed through:

- written assignments, seminar presentations, and reflective journals;
- career portfolios;
- a culminating independent-study activity that links the student's cooperative education placement experience with the curriculum expectations of the related course;
- performance appraisals written by the placement supervisor (a minimum of two).

Regular in-school integration sessions

In-school sessions of a minimum of seven hours per credit provide students with opportunities to:

- analyse and share their workplace experience;
- relate the placement experience to the curriculum expectations;
- reinforce the job-skills theory acquired in the classroom and the skills, techniques, and principles learned at the placement.

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*The number of credits earned through cooperative education in 2003–04 was 76,213.

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Ontario

Ministry of Education

Policy/Program Memorandum No. 140

Date of Issue: May 17, 2007

Effective: Until revoked or modified

Subject: INCORPORATING METHODS OF APPLIED BEHAVIOUR ANALYSIS (ABA) INTO PROGRAMS FOR STUDENTS WITH AUTISM SPECTRUM DISORDERS (ASD)

Application:
Directors of Education
Secretary Treasurers and Supervisory Officers of School Authorities
Director of the Provincial Schools Branch
Superintendents of Schools
Superintendent of Centre Jules-Léger
Principals of Elementary Schools
Principals of Secondary Schools
Principals of Provincial and Demonstration Schools
Principals of Section 68 Schools

PURPOSE

The purpose of this memorandum is to provide direction to school boards[1] to support their use of applied behaviour analysis (ABA) as an effective instructional approach in the education of many students with autism spectrum disorders (ASD).[2] This memorandum establishes a policy framework to support incorporation of ABA methods into school boards' practices. The use of ABA instructional approaches may also be effective for students with other special education needs.

This memorandum has been informed by recommendations of the Report of the Minister's Autism Spectrum Disorders Reference Group.[3] This group was established in 2006 at the joint invitation of the Minister of Education and the Minister of Children and Youth Services to provide both ministers with advice on effective, evidence-based educational practices to meet the wide range of needs of students with ASD.

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1. In this document, *school board(s)* and *board(s)* refer to district school boards and school authorities.

2. The term *autism spectrum disorders* (ASD) describes "a subset of the Pervasive Developmental Disorders (PDDs) currently outlined in the Diagnostic and Statistical Manual of Mental Disorders (DSM–IV). These disorders share three common areas of concern: qualitative impairments in social skills; qualitative impairments in verbal and non-verbal communication; restricted and repetitive interests or behaviours. When using the term ASD, most professionals are referring to the subset of PDDs that includes Autistic Disorder (usually referred to as Autism), PDD-NOS (not otherwise specified) and Asperger's Disorder." From *Making a Difference for Students With Autism Spectrum Disorders in Ontario Schools: From Evidence to Action*, Report of the Ministers' Autism Spectrum Disorders Reference Group to the Minister of Education and Minister of Children and Youth Services, February 2007, p. 63.

3. Ibid.

This memorandum is intended to strengthen collaborative working relationships between parents,[4] schools, and the community. This collaboration is *essential* for supporting positive learning for students with ASD. An example of such collaboration is the development of an Individual Education Plan (IEP) for a student.

BACKGROUND

The direction provided in this memorandum builds on suggestions for successful practice provided in the Ministry of Education's documents entitled *Special Education: A Guide for Educators, 2001* and *Individual Education Plans: Standards for Development, Program Planning, and Implementation, 2000*, and is consistent with the Ontario curriculum as a basis for programs for students with ASD.

This direction is also consistent with suggestions for successful practice provided in the following documents published by the Ministry of Education:

- *Special Education Transformation: The Report of the Co-Chairs With the Recommendations of the Working Table on Special Education, 2006*
- *Education for All: The Report of the Expert Panel on Literacy and Numeracy Instruction for Students With Special Education Needs, Kindergarten to Grade 6, 2005*
- *Planning Entry to School: A Resource Guide, 2005*
- *The Individual Education Plan (IEP): A Resource Guide, 2004*
- *Transition Planning: A Resource Guide, 2002*
- *The Ontario Curriculum Unit Planner: Special Education Companion, 2002*

School board staff should consult the above documents for more detailed information.

The Ministry of Children and Youth Services (MCYS) document entitled *Autism Intervention Program: Program Guidelines, 2006* provides additional information. In particular, the sections on Transition Planning and Sharing Information may provide useful information. The MCYS document entitled *A Shared Responsibility: Ontario's Policy Framework for Child and Youth Mental Health, 2006* provides additional information. Copies of these documents are available online (see page 7) or through the local MCYS office.

This memorandum is also informed by the recommendations in the *Report of the Interim Parent Involvement Advisory Board*, which was released in July 2006.

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[4] In this document, *parents* refers to parent(s) and guardian(s).

APPLIED BEHAVIOUR ANALYSIS

Applied behaviour analysis (ABA)[5] uses methods based on scientific principles of learning and behaviour to build useful repertoires of behaviour and reduce problematic ones. In this approach, the behaviour(s) to be changed are clearly defined and recorded. The antecedents of the undesirable behaviour(s) are analysed, as are the reinforcers that might be maintaining the undesirable behaviour(s) or that might be used to help develop adaptive behaviours.

Interventions based on behavioural principles are designed to develop appropriate behaviours. Progress is assessed and the program is altered if necessary (adapted from Perry and Condillac 2003). ABA can be used with students of every age. It can be applied in a variety of situations, and it can be used for very limited and specific purposes, such as the development or reduction of single behaviours. ABA can also be used for broader purposes, such as the development or reduction of sets of behaviour (for example, to improve relaxation skills, to teach more effective social skills, or to enhance community living skills). ABA can be used for students with ASD, and it can be used for students who have varying degrees of intensity of ASD along a learning continuum.

ABA methods can support students with ASD in a number of ways. For example, ABA methods can help a student to:

- develop positive behaviours (e.g., improve the ability to stay on task, improve social interaction);
- learn new skills (e.g., comprehensive skills, including language skills, social skills, motor skills, academic skills);
- transfer a positive behaviour or response from one situation to another (e.g., from completing assignments in a special education class to maintaining the same performance in a regular class).

ABA methods can also be used to limit the conditions under which problematic behaviours occur – for example, to modify the learning environment so that students are less likely to injure themselves.

Educators must measure an individual student's progress in the above areas by collecting and analysing data on an ongoing basis. Educators must use the data collected to determine the effectiveness of the program and to alter the program as necessary to maintain or increase a student's success. Progress should be measured in accordance with the assessment methods used in the student's program.

REQUIREMENTS

1. **School boards must offer students with ASD special education programs and services, including, where appropriate, special education programs using ABA methods.**

Under Regulation 181/98, principals are required to ensure that an IEP is developed for each exceptional student within thirty school days of the start of the student's placement. School boards also have the

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[5] Adapted from *Making a Difference for Students With Autism Spectrum Disorders in Ontario Schools: From Evidence to Action*, Report of the Ministers' Autism Spectrum Disorders Reference Group to the Minister of Education and Minister of Children and Youth Services, February 2007, p. 62.

discretion to develop an IEP for students who have not been formally identified as exceptional. Students with ASD have a wide range of educational needs. Principals are required to ensure that ABA methods are incorporated into the IEPs of students with ASD, where appropriate.

Principals must ensure that relevant school board personnel[6] and community personnel[7] who have previously worked and/or are currently working with a student with an ASD are invited to provide input and participate in the IEP process. These personnel are able to bring other perspectives and recommendations regarding special education programs and services for students with ASD. In particular, the assessment information gathered from these personnel can benefit the IEP team in planning accurate and comprehensive interventions for the student and promote a common approach to enhance student success.

ABA Methods in Programs for Students With ASD

Given the range of needs for students with ASD, the principal must ensure that staff developing a student's IEP consider special education program and service options that will best take into account the student's individual strengths and areas of need in the demonstration of learning. The program selected must be based on relevant assessment information that identifies the student's skills and needs, instructional level, and learning style/modalities, and must incorporate relevant ABA methods, where appropriate. Use of functional behavioural assessment[8] may also help to identify a student's strengths, needs, and learning environment.

When an alternative program is determined to be appropriate for a particular student with an ASD, it should, wherever possible, incorporate methods of ABA and be provided in conjunction with a program that includes accommodations as well as modified learning expectations as necessary. Alternative program areas for a student with an ASD could include, for example, behavioural, self-management, social, and communication skills.

When a student with an ASD requires accommodations and/or modified expectations, assessment and evaluation of student learning will be consistent with the strategies outlined in the student's IEP.

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[6] School board personnel may include, but are not limited to, the following: principals and vice-principals; teachers; counsellors; teachers' assistants; resource teachers; educational consultants; psycho-educational consultants; Provincial School or Demonstration School personnel.

[7] Community personnel may include, but are not limited to, the following: occupational therapists; physiotherapists; other medical professionals; child and youth workers; social workers; psychologists; service providers from appropriate community agencies; autism program providers.

[8] Functional behavioural assessment is a systematic process used by teachers, parents, caregivers, and other professionals to: enhance students' strengths; describe problematic and challenging behaviour; identify environmental factors and setting events that have a problematic influence on behaviour or that increase the probability that the challenging behaviour will occur; and determine what factors may cause a student to maintain a challenging behaviour, and design effective and efficient behaviour support plans to reduce or eliminate the challenging behaviour.

The principal must ensure that instructional modifications/strategies are uniquely suited to each student's learning strengths and needs. The ministry plans to publish a resource guide entitled *Effective Education Practices for Students With Autism Spectrum Disorders* that will provide more detailed information on strategies.[9]

Principles of ABA Programming

The following principles underlie ABA programming that is provided to students with ASD, where appropriate:

- *The program must be individualized.* Each student's specific profile and pattern of strengths and needs must be analysed to determine concrete learning objectives and teaching methods. No single curriculum or teaching strategy is appropriate for all students with ASD. Some students may require more intensive programming. Although students' programs must be individualized, the various supports may be provided to students either individually or in group situations.
- *Positive reinforcement must be utilized.* Positive reinforcement techniques are often helpful to motivate students with ASD.
- *Data must be collected and analysed.* Reliable data must be collected and analysed on an ongoing basis to measure student progress in the acquisition of new behaviours and skills, and to identify skills or behaviours that need to be taught.
- *Transfer, or generalization, of skills should be emphasized.* Each student should be taught to transfer skills acquired in one context to different contexts or settings. For example, a student should be encouraged to apply a newly acquired positive behaviour in a wide variety of environments, and to learn to use a wide variety of related or similar behaviours in a variety of contexts. The ultimate goal is to enable the student to develop increasing independence.

2. **School board staff must plan for the transition between various activities and settings involving students with ASD.**

Transition planning is an important process for all students, but especially for students with ASD. Principals are required to ensure that a plan for transition is in place for students with ASD. Transitions may include: entry to school; transition between activities and settings or classrooms; transitions between grades; moving from school to school or from an outside agency to a school; transition from elementary to secondary school; transition from secondary school to postsecondary destinations and/or the workplace.

Transition into school is of particular importance for students with ASD. Relevant ABA methods must be used to support transition, where appropriate. Students enter school from a range of settings, including the home and child-care or pre-school programs. It is essential that school board staff work with parents and community agencies to plan for a successful transition. Where a student is currently working with a community service professional, that professional should be involved with the transition process.

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[9] Additional resources can be found in the Resources section at the end of this memorandum.

MONITORING AND REPORTING OF IMPLEMENTATION

School boards are encouraged to make use of a growing body of knowledge about educational practices that are effective for students with ASD. Relevant research on ASD will be posted on the ministry's website to provide information on instructional practices for students with ASD.

School boards should develop a plan to implement the policy in this memorandum, and should consult with their Special Education Advisory Committee (SEAC) regarding the implementation. School boards should also consult their SEAC regarding the monitoring of the implementation of this memorandum, at least on an annual basis.

The ministry will integrate monitoring of implementation of this memorandum into existing reporting mechanisms. The Minister's Advisory Council on Special Education, as well as members of the Ministers' Autism Spectrum Disorders Reference Group who wish to be involved, will be consulted twice a year regarding the implementation of ABA methods by school boards.

For further information, please contact the local regional office of the Ministry of Education.

REFERENCE CITED

Perry, A., and R. Condillac. 2003. *Evidence-Based Practices for Children and Adolescents With Autism Spectrum Disorders: Review of the Literature and Practice Guide.* Toronto: Children's Mental Health Ontario.
http://www.kidsmentalhealth.ca/professionals/evidence_based_practices.php.

RESOURCES

Web Links for Selected Ontario Government Publications

Ministry of Education

Education for All: The Report of the Expert Panel on Literacy and Numeracy Instruction for Students With Special Education Needs, Kindergarten to Grade 6, 2005.
http://www.edu.gov.on.ca/eng/document/reports/speced/panel/speced.pdf.

Individual Education Plans: Standards for Development, Program Planning, and Implementation, 2000.
http://www.edu.gov.on.ca/eng/general/elemsec/speced/iep/iep.pdf.

The Individual Education Plan (IEP): A Resource Guide, 2004.
http://www.edu.gov.on.ca/eng/general/elemsec/speced/guide/resource/iepresguid.pdf.

The Ontario Curriculum Unit Planner: Special Education Companion, 2002.
http://www.ocup.org/resources/documents/companions/speced2002.pdf.

Planning Entry to School: A Resource Guide, 2005.
http://www.edu.gov.on.ca/eng/parents/planningentry.pdf.

Special Education: A Guide for Educators, 2001.
http://www.edu.gov.on.ca/eng/general/elemsec/speced/guide.html.

Transition Planning: A Resource Guide, 2002.
http://www.edu.gov.on.ca/eng/general/elemsec/speced/transiti/transition.pdf.

Ministry of Children and Youth Services

Autism Intervention Program: Program Guidelines, 2006.
http://www.children.gov.on.ca/CS/en/programs/SpecialNeeds/Publications/autismGuidelines.htm.

A Shared Responsibility: Ontario's Policy Framework for Child and Youth Mental Health, 2006.
http://www.children.gov.on.ca/CS/en/programs/SpecialNeeds/Publications/default.htm.

Additional Resources

Alberto, P. A., and A. C. Troutman. 2006. *Applied Behaviour Analysis for Teachers*. Upper Saddle River, NJ: Pearson Prentice Hall.

Committee on Educational Interventions for Children With Autism, National Research Council. 2001. *Educating Children With Autism.* Washington, DC: National Academy Press.

Cooper, J. O., T. E. Heron, and W. L. Heward. 2006. *Applied Behavior Analysis.* 2nd ed. Columbus, OH: Prentice Hall.

Heflin, L. J., and D. F. Alaimo. 2007. *Students With Autism Spectrum Disorders: Effective Instructional Practices.* Upper Saddle River, NJ: Pearson Prentice Hall.

Simpson, R. L. 2004. *Autism Spectrum Disorders: Interventions and Treatments for Children and Youth.* Thousand Oaks, CA: Corwin Press.

Ontario Ministry of Education

Policy/Program Memorandum No. 141

Date of Issue: August 23, 2007

Effective: Until revoked or modified

Subject: **SCHOOL BOARD PROGRAMS FOR STUDENTS ON LONG-TERM SUSPENSION**

Application:
Directors of Education
Superintendents of School Authorities
Principals of Elementary Schools
Principals of Secondary Schools
Principals of Provincial Schools
Special Education Advisory Committees

References:
The Education Act, as amended by the Education Amendment Act (Progressive Discipline and School Safety), 2007.
Ontario Regulation 472/07, "Suspension and Expulsion of Pupils".
Policy/Program Memorandum No. 142, "School Board Programs for Expelled Students", August 23, 2007.

INTRODUCTION

The Ministry of Education is committed to ensuring that all students[1] who are on long-term suspension have the opportunity to continue their education. The Education Act, as amended by the Education Amendment Act (Progressive Discipline and School Safety), 2007, requires school boards[2] to offer at least one board program for suspended students as of February 1, 2008. In this document, *long-term suspension* means a suspension of more than five school days.

The purpose of this memorandum is to provide direction to school boards regarding the development of board programs for students on long-term suspension. For excerpts from the relevant sections of the Education Act and the regulation, see the Appendix to this memorandum.

With respect to programs for students on long-term suspension, research[3] has demonstrated that positive outcomes for students are related to specific program elements that are tailored to meet the needs of each

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[1] In this memorandum, *student* refers to *pupil*, as used in the Education Act.

[2] In this memorandum, *school boards* and *boards* refer to district school boards and school authorities.

[3] This memorandum is informed by findings from programs currently available to students in Ontario; the Safe Schools Action Team's provincial consultations; a review of the Strict Discipline Programs; Model Projects to Promote Positive Student Behaviour initiative; and a review of the literature on practices in Ontario, other provinces, and a number of countries around the world.

student. The active engagement of parents[4] and families and linkages to community agencies,[5] such as agencies that provide counselling support, also contribute to positive overall outcomes for students.

In the case of students with special education needs, boards are required to provide appropriate support consistent with the student's Individual Education Plan (IEP).

It is expected that boards will actively encourage suspended students to participate in the board program for suspended students. However, boards cannot compel students on long-term suspension to participate in a board program for suspended students.

Resources that are dedicated to programs for students on long-term suspension may also be used to benefit students who have not been suspended but who have shown behaviours that, if unchanged, could lead to a suspension. However, the needs of students on long-term suspension remain the priority.

GENERAL REQUIREMENTS

As stated above, boards must offer at least one program for students who are on long-term suspension. In the written notice of suspension, parents must be notified of the board program to which the student on long-term suspension has been assigned.

While boards are not required to provide programs for students who have been suspended for less than six days, boards are expected to provide homework packages for these students to help ensure that they do not fall behind in their school work.

Considerations for Program Development

In developing programs, boards have the flexibility to take into account local needs and circumstances, such as geographical considerations, demographics, cultural needs, and availability of board and community supports and resources.

Boards should draw upon evidence-based practices that promote positive student behaviour. For example, the program should incorporate board-wide initiatives such as character development and bullying prevention.

In the development of board policies related to the creation of these programs, boards should consult with parents, principals,[6] teachers, students, school councils, their Parent Involvement Committee, their Special Education Advisory Committee, community partners, social service agencies, members of Aboriginal communities (e.g., Elders), and those groups that are traditionally not consulted.

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[4] In this memorandum, *parent(s)* refers to parent(s) and guardian(s). Parental involvement applies, except in cases where the student is eighteen years of age or over or is sixteen or seventeen years of age and has "withdrawn from parental control".

[5] Community agencies include a range of community service agencies, local organizations, and programs.

[6] In this memorandum, *principal* refers to the principal or to a person designated by the principal or by the board.

Boards must take into account the needs of individual students by showing sensitivity to diversity and to cultural needs in their programs for students on long-term suspension. Their programs should be in keeping with the relevant ministry policies on antiracism and ethnocultural equity and antidiscrimination education and with the principles in the ministry document *Ontario First Nation, Métis, and Inuit Education Policy Framework, 2007*.

Boards are required to adhere to the Municipal Freedom of Information and Protection of Privacy Act, the Ontario Human Rights Code, and the Education Act and regulations made under the Act in the development and implementation of programs. Boards should consult with their legal counsel and freedom of information coordinators to ensure that they are fulfilling their legal responsibilities.

School Board Policies on Program Operation

School boards are required to develop policies regarding the operation of their programs for students who are suspended. These policies must deal with, but not be limited to, the following issues:

- discipline (e.g., what constitutes unacceptable behaviour and the consequences of such behaviour)
- safety (e.g., what measures will be taken to ensure a safe learning and teaching environment)

Boards are expected to make their policies publicly available. Board are also expected to provide their policies directly to students and their parents before and/or upon entry to a program for suspended students. In particular, students and their parents must be informed of the discipline and safety rules and the ways in which the rules will be implemented. Boards are advised to consult their legal counsel in the development of these policies, particularly on the aspects related to discipline and safety.

PROGRAM REQUIREMENTS

A Student Action Plan (SAP) must be developed for every student on a long-term suspension who makes a commitment to attend the board program for suspended students.

Programs for Students on a Suspension of Six to Ten School Days

The program provided for in the SAP must include an academic component to support the student on a long-term suspension of six to ten school days in continuing his or her education. Boards are not required to provide a non-academic component for suspensions of this length. However, boards should consider what types of support, if any, the student may require during the suspension and upon his or her return to school. The board must also consider continuing any supports that may have been in place for the student prior to the suspension. In the case of students with special education needs, boards are required to provide appropriate support consistent with the student's IEP.

Programs for Students on a Suspension of Eleven to Twenty School Days

The program provided for in the SAP will consist of both an academic and a non-academic component to support the student on a long-term suspension of eleven to twenty school days in continuing his or her education. The board must also consider continuing any types of support that may have been in place for

the student prior to the suspension. In the case of students with special education needs, boards are required to provide appropriate support consistent with the student's IEP.

If a student on a long-term suspension pending an expulsion hearing is expelled, and the student makes a commitment to attend a board program for expelled students, the SAP should be carried forward into the new program.

Components of Programs for Students on Long-Term Suspension

Boards are responsible for determining the content and balance of the program for each student for both the academic and non-academic components of the program. The content and balance of the program for a student will depend on the needs of the student, the length of the suspension, and the nature and severity of the behaviour that led to the suspension, including any mitigating or other factors.

Academic Component

The purpose of the academic component is to ensure that all students on a long-term suspension (more than five school days) have the opportunity to continue their education. Boards must provide students with the opportunity to continue or complete programs of study, including assignments, homework, and any other work evaluated in their regular classes. In all cases, every effort must be made to maintain the student's regular academic course work throughout the suspension period.

The academic component must follow the curriculum outlined in the Ontario curriculum policy documents, unless the student has an IEP that provides for modifications to the Ontario curriculum or an alternative program. The academic component may include, but is not limited to, the provision of distance learning, e-learning, remedial help in literacy and numeracy, individual instruction, and/or opportunities within the board.

Elementary school students must be supported in continuing to acquire the necessary knowledge and skills outlined in the Ontario curriculum policy documents for elementary schools.

Secondary school students must be supported in continuing to earn credits towards their Ontario Secondary School Diploma.

Non-academic Component

The purpose of the non-academic component is to assist students on a long-term suspension of more than ten school days in the development of positive attitudes and behaviours. Identifying and addressing the underlying causes of the student's behaviour will help reduce the risk that the student might be given a suspension or expulsion in the future.

For those students on a suspension of six to ten school days, boards should consider what types of support, if any, the student may require during the suspension and upon his or her return to school.

Students may require a range of services and types of support that may include access to culturally appropriate support. The board should make appropriate support available and/or facilitate a student's referral to community agencies and/or provide support through other methods, such as remote access to resources (e.g., video conferencing, telepsychiatry). To meet the alternative programming requirements of a student with special education needs, the board should refer to the student's IEP.

Protocols between boards and community agencies should be in place to facilitate referral processes and the provision of services and support for students and their parents and families. Where such protocols already exist, they should be reviewed, and where they do not, new protocols should be developed to increase the board's capacity to respond to the needs of students on long-term suspension.

Developing and Implementing the Student Action Plan

An SAP must be developed for every student on long-term suspension who makes a commitment to attend the board program. The SAP will outline the objectives for students and be tailored to meet the specific needs of the student.

The student and/or his or her parent(s) must notify the principal verbally or in writing that the student is committed to attending the program. Once the principal has received this notification, development of the SAP must begin immediately. The SAP must be implemented as soon as possible. It is expected that the SAP, with appropriate support, will facilitate the continuation of the student's learning during the suspension period. Every effort must be made to provide an opportunity for the student to maintain his or her regular academic course work throughout the suspension period.

The SAP will be developed by the principal in cooperation with appropriate staff, the student, and his or her parent(s). It is important that parents participate in the development and implementation of the SAP on an ongoing basis. Boards should make reasonable efforts to enable parents to participate by, for example, reaching out to community members who can provide translation services for those whose first language is not English or French.

It is the responsibility of the board to coordinate the types of support required to assist the student in continuing his or her learning. For students with special education needs, boards are required to provide appropriate support consistent with the student's IEP.

For students on a long-term suspension pending expulsion, boards are also expected to provide a homework package until the SAP is in place. As stated earlier, in the case of an expelled student who attended a program for students on long-term suspension, the student's SAP should be carried forward into the program for expelled students.

The Planning Meeting

Once the student and/or his or her parent(s) have indicated that the student is committed to attending the program, the principal shall hold a planning meeting. The planning meeting should be a collaborative process and must include school and board staff and the student. Where possible, the student's parent(s) or other significant family member(s), as well as the student's teacher(s), should also be present at the

meeting. Principals should make reasonable efforts to include parents in this meeting. If the parents cannot be present, the planning meeting should proceed nevertheless, and the principal must attempt to follow up with the parent(s) of the student as soon after the meeting as possible. In addition, where appropriate, community agency staff and any other relevant persons or professionals should also be included in the planning meeting.

The purpose of the planning meeting is to:
- identify the needs of the student;
- identify the student's risk factors and protective factors;
- clearly identify any types of support that the student may need to continue his or her learning;
- establish the objectives of the SAP.

The Re-entry Meeting

The principal shall hold a meeting with school and board staff, the student, and, where possible, the student's parent(s) before the student returns to school. The purpose of this meeting is to facilitate the student's transition back to school by, for example, identifying and providing for any additional academic and non-academic support that the student may require upon returning to school. Where appropriate, community agency staff and any other significant persons or professionals may be involved in the re-entry planning.

Program Delivery

The delivery of the board program may take many forms, ranging from homework packages to attendance in a designated location at the discretion of the board.

Boards may enter into agreements with other boards for the provision of a program for students on long-term suspension. Coterminous boards should, wherever possible, collaborate on providing coordinated support to students on long-term suspension and their parents. Boards may also obtain or continue to obtain services from community agencies in the provision of the non-academic program component. These partnerships must respect collective agreements.

ACCOUNTABILITY AND REPORTING REQUIREMENTS

Boards must meet the following requirements:

- Boards must continue to collect data on suspensions and report on it to the ministry.

- Boards must establish performance indicators for monitoring, reviewing, and evaluating the effectiveness of the board program. These indicators should be developed in consultation with their school community, including principals, teachers, students, parents, school councils, their Special Education Advisory Committee, and their Parent Involvement Committee, as well as service providers in the community. Boards will also conduct a cyclical review of their programs in a timely manner.

- Boards must collect program data and share this data with the ministry, as required. Boards will also allow monitoring visits by the ministry, as required.
- Boards must enter into transfer payment agreements with the ministry. These agreements will outline requirements for board accountability and reporting.

APPENDIX: EXCERPTS FROM THE LEGISLATION

Education Act, as amended by the Education Amendment Act (Progressive Discipline and School Safety), 2007

Relevant excerpts from sections of the Education Act, as amended by the Education Amendment Act (Progressive Discipline and School Safety), 2007, are provided below for ease of reference.

SUSPENSION

Activities leading to possible suspension

306. (1) A principal shall consider whether to suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate:

1. Uttering a threat to inflict serious bodily harm on another person.
2. Possessing alcohol or illegal drugs.
3. Being under the influence of alcohol.
4. Swearing at a teacher or at another person in a position of authority.
5. Committing an act of vandalism that causes extensive damage to school property at the pupil's school or to property located on the premises of the pupil's school.
6. Bullying.
7. Any other activity that is an activity for which a principal may suspend a pupil under a policy of the board.

Factors principal must consider

(2) In considering whether to suspend a pupil for engaging in an activity described in subsection (1), a principal shall take into account any mitigating or other factors prescribed by the regulations.

Suspension

(3) If a principal decides to suspend a pupil for engaging in an activity described in subsection (1), the principal shall suspend the pupil from his or her school and from engaging in all school-related activities.

Duration of suspension

(4) A suspension under this section shall be for no less than one school day and no more than 20 school days and, in considering how long the suspension should be, a principal shall take into account any mitigating or other factors prescribed by the regulations.

Assignment to program, etc.

(5) When a principal suspends a pupil under this section, he or she shall assign the pupil to a program for suspended pupils in accordance with any policies or guidelines issued by the Minister.

Policies and guidelines

(6) The Minister may issue policies and guidelines to boards to assist principals in interpreting and administering this section.

School-related activities

(7) A pupil who is suspended is not considered to be engaged in school-related activities by virtue of participating in a program for suspended pupils.

Notice of suspension

308. (1) A principal who suspends a pupil under section 306 shall,

(a) inform the pupil's teacher of the suspension; and

(b) make all reasonable efforts to inform the pupil's parent or guardian of the suspension within 24 hours of the suspension being imposed, unless,

(i) the pupil is at least 18 years old, or

(ii) the pupil is 16 or 17 years old and has withdrawn from parental control.

Same

(2) A principal who suspends a pupil under section 306 shall ensure that written notice of the suspension is given promptly to the following persons:

1. The pupil.
2. The pupil's parent or guardian, unless,
    i. the pupil is at least 18 years old, or
    ii. the pupil is 16 or 17 years old and has withdrawn from parental control.
3. Such other persons as may be specified by board policy.

Contents of notice

(3) The notice under subsection (2) must include the following:

1. The reason for the suspension.
2. The duration of the suspension.
3. Information about any program for suspended pupils to which the pupil is assigned.

SUSPENSION, INVESTIGATION AND POSSIBLE EXPULSION

Activities leading to suspension

310. (1) A principal shall suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate:

1. Possessing a weapon, including possessing a firearm.
2. Using a weapon to cause or to threaten bodily harm to another person.
3. Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner.
4. Committing sexual assault.
5. Trafficking in weapons or in illegal drugs.
6. Committing robbery.
7. Giving alcohol to a minor.
8. Any other activity that, under a policy of a board, is an activity for which a principal must suspend a pupil and, therefore in accordance with this Part, conduct an investigation to determine whether to recommend to the board that the pupil be expelled.

Same

(2) A pupil who is suspended under this section is suspended from his or her school and from engaging in all school-related activities.

Duration of suspension

(3) A principal may suspend a pupil under this section for up to 20 school days and, in considering how long the suspension should be, the principal shall take into account any mitigating or other factors prescribed by the regulations.

Assignment to program, etc.

(4) When a principal suspends a pupil under this section, he or she shall assign the pupil to a program for suspended pupils in accordance with any policies or guidelines issued by the Minister.

Notice of suspension

311. (1) A principal who suspends a pupil under section 310 shall,

(a) inform the pupil's teacher of the suspension; and

(b) make all reasonable efforts to inform the pupil's parent or guardian of the suspension within 24 hours of the suspension being imposed, unless,

  (i) the pupil is at least 18 years old, or

  (ii) the pupil is 16 or 17 years old and has withdrawn from parental control.

Same

(2) A principal who suspends a pupil under section 310 shall ensure that written notice of the suspension is given promptly to the following persons:

1. The pupil.
2. The pupil's parent or guardian, unless,
   i. the pupil is at least 18 years old, or
   ii. the pupil is 16 or 17 years old and has withdrawn from parental control.
3. Such other persons as may be specified by board policy.

Contents of notice

(3) The notice under subsection (2) must include the following:

1. The reason for the suspension.
2. The duration of the suspension.
3. Information about any program for suspended pupils to which the pupil is assigned.
4. Information about the investigation the principal will conduct under section 311.1 to determine whether to recommend that the pupil be expelled.
5. A statement indicating that,
   i. there is no immediate right to appeal the suspension,
   ii. if the principal does not recommend to the board that the pupil be expelled following the investigation under section 311.1, the suspension will become subject to appeal under section 311.2, and
   iii. if there is an expulsion hearing because the principal recommends to the board that the pupil be expelled, the suspension may be addressed by parties at the hearing.

Programs for suspended, expelled pupils

312. (1) Every board shall provide, in accordance with policies and guidelines issued by the Minister, if any,

(a) **at least one program for suspended pupils;** and
(b) at least one program for expelled pupils.

Policies and guidelines

(2) The Minister may establish policies and guidelines with respect to programs for suspended and expelled pupils and may,

(a) impose different requirements on the provision of the programs for different circumstances, different locations or different classes of pupils;
(b) set criteria respecting pupils' eligibility to participate in the programs and respecting the criteria to be met for successful completion of the programs;

(c) require boards to offer plans to assist pupils who have successfully completed a program for expelled pupils with their transition back to school and to set criteria respecting those plans; and

(d) authorize boards, subject to such conditions and restrictions as the Minister imposes, to enter into agreements with other boards for the provision of the programs.

Ontario Regulation 472/07, "Suspension and Expulsion of Pupils"

Relevant excerpts from Ontario Regulation 472/07, made under the Education Act, are provided below for ease of reference.

Mitigating factors

2. For the purposes of subsections 306 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7) (b) and 311.4 (2) (b) of the Act, the following mitigating factors shall be taken into account:

1. The pupil does not have the ability to control his or her behaviour.
2. The pupil does not have the ability to understand the foreseeable consequences of his or her behaviour.
3. The pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person.

Other factors

3. For the purposes of subsections 306 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7) (b) and 311.4 (2) (b) of the Act, the following other factors shall be taken into account if they would mitigate the seriousness of the activity for which the pupil may be or is being suspended or expelled:

1. The pupil's history.
2. Whether a progressive discipline approach has been used with the pupil.
3. Whether the activity for which the pupil may be or is being suspended or expelled was related to any harassment of the pupil because of his or her race, ethnic origin, religion, disability, gender or sexual orientation or to any other harassment.
4. How the suspension or expulsion would affect the pupil's ongoing education.
5. The age of the pupil.
6. In the case of a pupil for whom an individual education plan has been developed,
    - i. whether the behaviour was a manifestation of a disability identified in the pupil's individual education plan,
    - ii. whether appropriate individualized accommodation has been provided, and
    - iii. whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.

Ontario Ministry of Education

Policy/Program Memorandum No. 142

Date of Issue:	August 23, 2007	**Effective:**	Until revoked or modified

Subject: SCHOOL BOARD PROGRAMS FOR EXPELLED STUDENTS

Application:
Directors of Education
Superintendents of School Authorities
Principals of Elementary Schools
Principals of Secondary Schools
Principals of Provincial Schools
Special Education Advisory Committees

References:
The Education Act, as amended by the Education Amendment Act (Progressive Discipline and School Safety), 2007.
Ontario Regulation 472/07, "Suspension and Expulsion of Pupils".
Policy/Program Memorandum No. 141, "School Board Programs for Students on Long-Term Suspension", August 23, 2007.

INTRODUCTION

The Ministry of Education is committed to ensuring that all students[1] who are expelled have the opportunity to continue their education. The Education Act, as amended by the Education Amendment Act (Progressive Discipline and School Safety), 2007, requires school boards,[2] as of February 1, 2008, to:

- provide at least one program for students who have been expelled from all schools of the board;
- assign a student who has been expelled only from his or her school to another school of the board.

The purpose of this memorandum is to provide direction to school boards regarding the development of board programs for expelled students. For excerpts from the relevant sections of the Education Act and the regulation, see the Appendix to this memorandum.

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[1] In this memorandum, *student* refers to *pupil,* as used in the Education Act. *Expelled student* refers to a student who has been expelled from his or her school only or from all schools of a board.

[2] In this memorandum, *school boards* and *boards* refer to district school boards and school authorities.

With respect to programs for expelled students, research[3] has demonstrated that positive outcomes for students are related to specific program elements that are tailored to meet the needs of each student. In accordance with this memorandum, boards must establish programs that include the following elements:

- a planning meeting to determine the specific academic and non-academic program requirements
- a Student Action Plan (SAP) that outlines goals, objectives, and learning expectations, including provision for a review of the student's progress with regard to his or her SAP
- a re-entry plan to assist with the student's transition back to school and integration in the school

In the case of students with special education needs, boards are required to provide appropriate support consistent with the student's Individual Education Plan (IEP).

It is expected that boards will actively encourage expelled students to participate in the board program for expelled students. While boards cannot compel expelled students to participate in a board program for expelled students, students who wish to return to school must satisfy the objectives required for successful completion of a program for expelled students.

The active engagement of parents[4] and families and linkages to community agencies,[5] such as agencies that provide counselling support and addiction treatment, also contribute to positive overall outcomes for students.

Resources that are dedicated to programs for expelled students may also be used to benefit students who have not been expelled but who have shown behaviours that, if unchanged, could lead to an expulsion. However, the needs of expelled students remain the priority.

GENERAL REQUIREMENTS

Suspension Pending Expulsion

A student who has been suspended pending an expulsion hearing shall be assigned to a board program for students on long-term suspension. See Policy/Program Memorandum No. 141, "School Board Programs for Students on Long-Term Suspension", August 23, 2007.

In accordance with Policy/Program Memorandum No. 141, an SAP will be developed for every student who makes a commitment to attend the board program for suspended students. The student and/or his or her parent(s) must notify the principal[6] verbally or in writing that the student wishes to attend the

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[3] This memorandum is informed by findings from programs currently available to students in Ontario; the Safe Schools Action Team's provincial consultations; a review of the Strict Discipline Programs; Model Projects to Promote Positive Student Behaviour initiative; and a review of the literature on practices in Ontario, other provinces, and a number of countries around the world.

[4] In this memorandum, *parent(s)* refers to parent(s) and guardian(s). Parental involvement applies, except in cases where the student is eighteen years of age or over or is sixteen or seventeen years of age and has "withdrawn from parental control".

[5] Community agencies include a range of community service agencies, local organizations, and programs.

[6] In this memorandum, *principal* refers to the principal or to a person designated by the principal or by the board.

program. Once the principal has received this notification, development of the SAP must begin immediately. The SAP must be implemented as soon as possible. Every effort must be made to provide an opportunity for the student to maintain his or her regular academic course work throughout the suspension period.

Boards are also expected to provide a homework package for the student until the SAP is in place.

Expulsion

A student may be expelled either from his or her school only or from all schools of the board. If a student is expelled from his or her school only, he or she must be assigned to another school of the board.

If a student is expelled from all schools of the board, he or she must be assigned to a board program for expelled students. The student and/or his or her parent(s) must notify the principal verbally or in writing that the student is committed to attending the program. Once the principal has received this notification, development of the SAP must begin immediately.

In the notice of expulsion, parents must be provided with information on either the new school or the board program to which the expelled student has been assigned.

Where an expelled student who is transferred to another school requires additional support and resources, boards should make appropriate support available and/or facilitate the student's referral to community agencies.

Considerations for Program Development

In developing programs, boards have the flexibility to take into account local needs and circumstances, such as geographical considerations, demographics, cultural needs, and availability of board and community support and resources.

Boards should draw upon evidence-based practices that promote positive student behaviour. For example, the program should incorporate board-wide initiatives such as character development and bullying prevention.

In the development of board policies related to the creation of these programs, boards should consult with parents, principals, teachers, students, school councils, their Parent Involvement Committee, their Special Education Advisory Committee, community partners, social service agencies, members of Aboriginal communities (e.g., Elders), and those groups that are traditionally not consulted.

Boards must take into account the needs of individual students by showing sensitivity to diversity and to cultural needs in their programs for expelled students. Their programs should be in keeping with the relevant ministry policies on antiracism and ethnocultural equity and antidiscrimination education and with the principles in the ministry document *Ontario First Nation, Métis, and Inuit Education Policy Framework, 2007.*

Boards are required to adhere to the Municipal Freedom of Information and Protection of Privacy Act, the Ontario Human Rights Code, and the Education Act and regulations made under the Act in the development and implementation of programs. Boards should consult with their legal counsel and freedom of information coordinators to ensure that they are fulfilling their legal responsibilities.

School Board Policies on Program Operation

School boards are required to develop policies regarding the operation of their programs for students who are suspended or expelled. These policies must deal with, but are not limited to, the following issues:

- discipline (e.g., what constitutes unacceptable behaviour and the consequences of such behaviour)
- safety (e.g., what measures will be taken to ensure a safe learning and teaching environment)

Boards are expected to make their policies publicly available. Boards are also expected to provide their policies directly to students and their parents before and/or upon entry to a program for suspended or expelled students. In particular, students and their parents must be informed of the discipline and safety rules and the ways in which the rules will be implemented. Boards are advised to consult their legal counsel in the development of these policies, particularly on the aspects related to discipline and safety.

PROGRAM REQUIREMENTS

Components of Programs for Expelled Students

Boards are responsible for determining the content and balance of the program for each student for both the academic and non-academic components of the program. The content and balance of the program for a student will depend on the needs of the student and the nature and severity of the behaviour that led to the expulsion.

Academic Component

The purpose of the academic component is to ensure that expelled students who are assigned to a board program have the opportunity to continue their education.

The academic component must follow the curriculum outlined in the Ontario curriculum policy documents, unless the student has an IEP that provides for modifications to the Ontario curriculum or an alternative program. The academic component may include, but is not limited to, the provision of distance learning, e-learning, remedial help in literacy and numeracy, individual instruction, and/or opportunities within the board.

Elementary school students must be supported in continuing to acquire the necessary knowledge and skills outlined in the Ontario curriculum policy documents for elementary schools.

Secondary school students must be supported in continuing to earn credits towards their Ontario Secondary School Diploma through such options as credit completion and credit recovery.

Non-academic Component

The purpose of the non-academic component is to assist expelled students in the development of long-term positive attitudes and behaviours by identifying and addressing the underlying causes of the behaviour that led to the expulsion.

Students may require a range of services and types of support that may include access to culturally appropriate support. The board should make appropriate support available and/or facilitate a student's referral to community agencies and/or provide support through other methods, such as remote access to resources (e.g., video conferencing, telepsychiatry). To meet the alternative programming requirements of a student with special education needs, the board should refer to the student's IEP.

Protocols between boards and community agencies should be in place to facilitate referral processes and the provision of services and support for students and their parents and families. Where such protocols already exist, they should be reviewed, and where they do not, new protocols should be developed to increase the board's capacity to respond to the needs of expelled students.

Developing and Implementing the Student Action Plan

An SAP must be developed for every expelled student who makes a commitment to attend the board program for expelled students (see page 3 under "Expulsion"). The SAP will be developed on the basis of the information gathered at a planning meeting (see below). The SAP should build on the SAP that was developed for the student while he or she was on a long-term suspension pending expulsion, if the student attended the board program for suspended students.

The SAP will be developed by the principal in cooperation with appropriate staff, the student, and his or her parent(s). It is important that parents participate in the development and implementation of the SAP on an ongoing basis. Boards should make reasonable efforts to enable parents to participate by, for example, reaching out to community members who can provide translation services for those whose first language is not English or French.

It is the responsibility of the board to coordinate the types of support required to assist the student in continuing his or her learning. For students with special education needs, boards are required to provide appropriate support consistent with the student's IEP.

The Planning Meeting

Once the student and/or his or her parent(s) have indicated that the student is committed to attending the program, the principal shall hold a planning meeting. The planning meeting should be a collaborative process and must include school and board staff and the student. Where possible, the student's parent(s) or other significant family member(s), as well as the student's teacher(s), should also be present at the meeting. Principals should make reasonable efforts to include parents in this meeting. If the parents cannot be present, the planning meeting should proceed nevertheless, and the principal must attempt to

follow up with the parent(s) of the student as soon after the meeting as possible. In addition, where appropriate, community agency staff and any other relevant persons or professionals should also be included in the planning meeting.

The purpose of the planning meeting is to:
- identify the needs of the student and determine whether any assessment is required;
- identify the student's risk factors and protective factors;
- describe the types of support and services required to assist the student in achieving the goals of the academic and non-academic components (e.g., career development counselling, use of mentors from appropriate communities).

The following information should be considered during the planning meeting and should be used to develop the SAP:
- the student's history
- the student's learning experiences from any long-term suspension program that he or she may have attended
- the student's strengths
- the nature and severity of the behaviour that led to the expulsion, including any mitigating or other factors
- information from anyone who has provided a specialized service (e.g., a speech therapist)
- information from other sources who have helped or are expected to help the student, including culturally appropriate support persons

All relevant information on the student, including existing documentation (e.g., current assessments, the IEP), should be considered while complying with all legal and statutory requirements and privacy laws.

Development and Review of the Student Action Plan

The SAP must contain both an academic and non-academic component. For both the academic and non-academic components, the SAP must outline:
- goals, objectives, and learning expectations;
- measures of success;
- strategies and types of support.

The SAP should be reviewed on a regular basis to determine the student's progress in meeting the stated objectives in both the academic and the non-academic components of the plan. When a student enters a program for expelled students, all parties, including the student, must be made aware of the process for determining when the student has satisfied the objectives required for successful completion of the program and is therefore eligible to be readmitted to a school of the board. The student and/or his or her parent(s) should be involved in the review of the SAP.

Information on the person who is designated by the board to be responsible for overseeing the student's readmission should also be included in the SAP.

Development of a Plan for Re-entry to School

A student who has been expelled from all schools of a board and/or his or her parent(s) may apply in writing to a person designated by the board requesting that the student be readmitted to a school of that board. For a student who has been expelled from only one school of a board, and where the student and/or his or her parent(s) wish that the student return to his or her original school, the student and/or his or her parent(s) may apply in writing to a person designated by the board requesting that the student be reassigned to the school.

When the student has successfully met the objectives of the program for expelled students, as outlined in the SAP, the student must be readmitted to school. The person who has provided the program must determine whether an expelled student has successfully completed a program for expelled students, or has satisfied the objectives required for successful completion of a program for expelled students.

When a student is considered ready to be readmitted to school, a re-entry plan must be developed as part of the SAP to assist with the student's transition and integration back into the school.

As part of the development of the re-entry plan, the board must hold a meeting that includes board staff, staff of the school to which the student is seeking readmission, and the student. Where possible, the student's parent(s) or other significant family member(s), as well as the student's teacher(s), should also be present. Principals should make reasonable efforts to include parents in this meeting. If the parents cannot be present, the planning meeting should proceed nevertheless, and the principal must attempt to follow up with the parent(s) of the student as soon after the meeting as possible. In addition, where appropriate, community agency staff and any other relevant persons or professionals should also be included in the meeting.

The re-entry plan should contain the following elements:

- description of the re-entry process for successful transition back to school
- identification of the types of support in both the academic and non-academic components that are needed to sustain student learning

Program Delivery

Boards may enter into agreements with other boards for the provision of a program for students who are expelled from all schools of a board. Coterminous boards should, wherever possible, collaborate on providing coordinated support to expelled students and their parents. Boards may also obtain or continue to obtain services from community agencies in the provision of the non-academic program component. These partnerships must respect collective agreements.

ACCOUNTABILITY AND REPORTING REQUIREMENTS

Boards must meet the following requirements:

- Boards must continue to collect data on expulsions and report on it to the ministry.
- Boards must establish performance indicators for monitoring, reviewing, and evaluating the effectiveness of the board program. These indicators should be developed in consultation with their school community, including principals, teachers, students, parents, school councils, their Special Education Advisory Committee, and their Parent Involvement Committee, as well as service providers in the community. Boards will also conduct a cyclical review of their programs in a timely manner.
- Boards must collect program data and share this data with the ministry, as required. Boards will also allow monitoring visits by the ministry, as required.
- Boards must enter into transfer payment agreements with the ministry. These agreements will outline requirements for board accountability and reporting.

APPENDIX: EXCERPTS FROM THE LEGISLATION

Education Act, as amended by the Education Amendment Act (Progressive Discipline and School Safety), 2007

Relevant excerpts from sections of the Education Act, as amended by the Education Amendment Act (Progressive Discipline and School Safety), 2007, are provided below for ease of reference.

SUSPENSION, INVESTIGATION AND POSSIBLE EXPULSION

Activities leading to suspension

310. (1) A principal shall suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate:

1. Possessing a weapon, including possessing a firearm.
2. Using a weapon to cause or to threaten bodily harm to another person.
3. Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner.
4. Committing sexual assault.
5. Trafficking in weapons or in illegal drugs.
6. Committing robbery.
7. Giving alcohol to a minor.
8. Any other activity that, under a policy of a board, is an activity for which a principal must suspend a pupil and, therefore in accordance with this Part, conduct an investigation to determine whether to recommend to the board that the pupil be expelled.

Same

(2) A pupil who is suspended under this section is suspended from his or her school and from engaging in all school-related activities.

Duration of suspension

(3) A principal may suspend a pupil under this section for up to 20 school days and, in considering how long the suspension should be, the principal shall take into account any mitigating or other factors prescribed by the regulations.

Assignment to program, etc.

(4) When a principal suspends a pupil under this section, he or she shall assign the pupil to a program for suspended pupils in accordance with any policies or guidelines issued by the Minister.

Notice of suspension

311. (1) A principal who suspends a pupil under section 310 shall,

(a) inform the pupil's teacher of the suspension; and

(b) make all reasonable efforts to inform the pupil's parent or guardian of the suspension within 24 hours of the suspension being imposed, unless,

  (i) the pupil is at least 18 years old, or

  (ii) the pupil is 16 or 17 years old and has withdrawn from parental control.

Same

(2) A principal who suspends a pupil under section 310 shall ensure that written notice of the suspension is given promptly to the following persons:

1. The pupil.
2. The pupil's parent or guardian, unless,
   i. the pupil is at least 18 years old, or
   ii. the pupil is 16 or 17 years old and has withdrawn from parental control.
3. Such other persons as may be specified by board policy.

Contents of notice

(3) The notice under subsection (2) must include the following:

1. The reason for the suspension.
2. The duration of the suspension.
3. Information about any program for suspended pupils to which the pupil is assigned.
4. Information about the investigation the principal will conduct under section 311.1 to determine whether to recommend that the pupil be expelled.
5. A statement indicating that,
   i. there is no immediate right to appeal the suspension,
   ii. if the principal does not recommend to the board that the pupil be expelled following the investigation under section 311.1, the suspension will become subject to appeal under section 311.2, and
   iii. if there is an expulsion hearing because the principal recommends to the board that the pupil be expelled, the suspension may be addressed by parties at the hearing.

Investigation following suspension

311.1 (1) When a pupil is suspended under section 310, the principal shall conduct an investigation to determine whether to recommend to the board that the pupil be expelled.

If expulsion recommended: report

(7) If, on concluding the investigation, the principal decides to recommend to the board that the pupil be expelled, he or she shall prepare a report that contains the following:

1. A summary of the principal's findings.
2. The principal's recommendation as to whether the pupil should be expelled from his or her school only or from all schools of the board.
3. The principal's recommendation as to,
    i. the type of school that might benefit the pupil, if the pupil is expelled from his or her school only, or
    ii. the type of program for expelled pupils that might benefit the pupil, if the pupil is expelled from all schools of the board.

Written notice

(9) The principal shall ensure that written notice containing the following is given to every person to whom the principal was required to give notice of the suspension under section 311 at the same time as the principal's report is provided to that person:

4. Detailed information about the procedures and possible outcomes of the expulsion hearing, including, but not limited to, information explaining that,
    iv. if the board expels the pupil from his or her school only, the board will assign the pupil to another school, and
    v. if the board expels the pupil from all schools of the board, the board will assign the pupil to a program for expelled pupils.

Decision

311.3 (6) After completing the hearing, the board shall decide,

(a) whether to expel the pupil; and

(b) if the pupil is to be expelled, whether the pupil is expelled from his or her school only or from all schools of the board.

If pupil expelled

311.5 If a board expels a pupil, the board shall assign the pupil to,

(a) in the case of a pupil expelled from his or her school only, another school of the board; and

(b) in the case of a pupil expelled from all schools of the board, a program for expelled pupils.

Notice of expulsion

311.6 (1) A board that expels a pupil shall ensure that written notice of the expulsion is given promptly to,

(a) all the parties to the expulsion hearing; and

(b) the pupil, if the pupil was not a party to the expulsion hearing.

Contents of notice

(2) The notice under subsection (1) must include the following:

1. The reason for the expulsion.
2. A statement indicating whether the pupil is expelled from his or her school only or from all schools of the board.
3. Information about the school or program for expelled pupils to which the pupil is assigned.
4. Information about the right to appeal under section 311.7, including the steps that must be taken to appeal.

Programs for suspended, expelled pupils

312. (1) Every board shall provide, in accordance with policies and guidelines issued by the Minister, if any,

(a) at least one program for suspended pupils; and

(b) at least one program for expelled pupils.

Policies and guidelines

(2) The Minister may establish policies and guidelines with respect to programs for suspended and expelled pupils and may,

(a) impose different requirements on the provision of the programs for different circumstances, different locations or different classes of pupils;

(b) set criteria respecting pupils' eligibility to participate in the programs and respecting the criteria to be met for successful completion of the programs;

(c) require boards to offer plans to assist pupils who have successfully completed a program for expelled pupils with their transition back to school and to set criteria respecting those plans; and

(d) authorize boards, subject to such conditions and restrictions as the Minister imposes, to enter into agreements with other boards for the provision of the programs.

Status of expelled pupil

313. (1) An expelled pupil continues to be a pupil of the board that expelled him or her if the pupil attends a program for expelled pupils,

(a) offered by that board; or

(b) offered by another board under an agreement between that board and the board that expelled the pupil.

Same

(2) An expelled pupil ceases to be a pupil of the board that expelled him or her if,

(a) the pupil is assigned by that board to a program for expelled pupils and does not attend the program; or

(b) the pupil registers as a pupil of another board.

Powers of other board

314. (1) If a pupil who has been expelled from one board registers as a pupil of another board, the other board may,

(a) assign the pupil to a school of that board; or

(b) assign the pupil to a program for expelled pupils, unless the pupil satisfies the requirements of clause 314.1 (1) (a) or (b) as determined by a person who provides a program for expelled pupils.

Clarification

(2) If the other board assigns the expelled pupil to a school without knowing that he or she has been expelled by another board, the board may subsequently remove the pupil from the school and assign him or her to a program for expelled pupils, subject to the following conditions:

1. The board must assign the pupil to a program for expelled pupils promptly on learning that he or she has been expelled from another board.
2. The board shall not assign the pupil to a program for expelled pupils if the pupil satisfies the requirements of clause 314.1 (1) (a) or (b) as determined by a person who provides a program for expelled pupils.

Return to school after expulsion

314.1 (1) A pupil who has been expelled from all schools of a board is entitled to be readmitted to a school of the board if the pupil has, since being expelled,

(a) successfully completed a program for expelled pupils; or

(b) satisfied the objectives required for the successful completion of a program for expelled pupils.

Determination

(2) The determination of whether an expelled pupil satisfies the requirements of clause (1) (a) or (b) is to be made by a person who provides a program for expelled pupils.

Board must readmit pupil

(3) An expelled pupil may apply in writing to a person designated by the board that expelled him or her to be readmitted to a school of that board and, if the pupil satisfies the requirements of clause (1) (a) or (b) as determined by a person who provides a program for expelled pupils, the board shall,

(a) readmit the expelled pupil to a school of the board; and

(b) promptly inform the pupil in writing of his or her readmittance.

Clarification: successful completion of program

314.2 A pupil who has successfully completed a program for expelled pupils provided by any board or person under this Part has satisfied the requirements of clause 314.1 (1) (a), and no board shall,

(a) require the pupil to attend a program for expelled pupils provided by that board before being admitted to a school of the board; or

(b) refuse to admit the pupil on the basis that the pupil completed a program for expelled pupils provided by another board or person.

Return to original school after expulsion

314.3 A pupil who has been expelled from one school of a board but not from all schools of the board may apply in writing to a person designated by the board to be re-assigned to the school from which he or she was expelled.

Clarification: resident pupils

314.4 For greater certainty, nothing in this Part requires a board to admit or readmit a pupil who is not otherwise qualified to be a resident pupil of the board.

Ontario Regulation 472/07, "Suspension and Expulsion of Pupils"

Relevant excerpts from Ontario Regulation 472/07, made under the Education Act, are provided below for ease of reference.

Mitigating factors

2. For the purposes of subsections 306 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7) (b) and 311.4 (2) (b) of the Act, the following mitigating factors shall be taken into account:

1. The pupil does not have the ability to control his or her behaviour.
2. The pupil does not have the ability to understand the foreseeable consequences of his or her behaviour.
3. The pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person.

Other factors

3. For the purposes of subsections 306 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7) (b) and 311.4 (2) (b) of the Act, the following other factors shall be taken into account if they would mitigate the seriousness of the activity for which the pupil may be or is being suspended or expelled:

1. The pupil's history.
2. Whether a progressive discipline approach has been used with the pupil.
3. Whether the activity for which the pupil may be or is being suspended or expelled was related to any harassment of the pupil because of his or her race, ethnic origin, religion, disability, gender or sexual orientation or to any other harassment.
4. How the suspension or expulsion would affect the pupil's ongoing education.
5. The age of the pupil.
6. In the case of a pupil for whom an individual education plan has been developed,
    i. whether the behaviour was a manifestation of a disability identified in the pupil's individual education plan,
    ii. whether appropriate individualized accommodation has been provided, and
    iii. whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.

Ontario

Ministry of Education

Policy/Program Memorandum No. 143

Date of Issue: August 27, 2007

Effective: Until revoked or modified

Subject: EXPECTATIONS REGARDING INCLUSION OF NON-TEACHING STAFF AFFECTED BY THE 2006 AMENDMENT TO R.R.O. 1990, REGULATION 304

Application: Directors of Education
Secretary-Treasurers and Supervisory Officers of School Authorities
Principals of Schools

Reference: R.R.O. 1990, Regulation 304, "School Year Calendar, Professional Activity Days"

On July 19, 2006, the government amended R.R.O. 1990, Regulation 304, to require school boards[1] to provide a minimum of two professional activity days for teachers in a school year and to allow boards to provide up to four additional professional activity days. As a result of the amendment, boards may provide two more professional activity days in each school year than previously permitted.

In some unique circumstances, where collective agreements existing at the time of the amendment have not yet been renewed, an unintended impact of this amendment has been the loss of one or more days of compensation for some support staff.

For clarification, it is expected that school boards will invite non-teaching staff who are in this position to attend the workplace on these two professional activity days and be compensated for them until the matter can be addressed in the negotiation of their next collective agreement. While parameters of attendance on these days are to be decided at the local level, boards are encouraged to offer professional development to non-teaching support staff affected by the 2006 amendment to R.R.O. 1990, Regulation 304, on these two additional professional activity days.

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[1] In this memorandum, *school board(s)* and *board(s)* refer to district school boards and school authorities.

Ontario Ministry of Education

Policy/Program Memorandum No. 144

SUPERCEDED

see update

Date of Issue: October 4, 2007 **Effective:** Until revoked or modified

Subject: BULLYING PREVENTION AND INTERVENTION

Application:
Directors of Education
Superintendents of School Authorities
Principals of Elementary Schools
Principals of Secondary Schools
Principals of Provincial Schools
Special Education Advisory Committees

References:
The Education Act, as amended by the Education Amendment Act (Progressive Discipline and School Safety), 2007.
Ontario Regulation 472/07, "Suspension and Expulsion of Pupils".

INTRODUCTION

School boards[1] in Ontario are required to develop and implement policies on bullying prevention and intervention, and are required to have their policies in place by February 1, 2008. Boards that already have bullying prevention and intervention policies in place must review their existing policies and any other relevant board policies to ensure that they are consistent with the policies in this memorandum.

The purpose of this memorandum is to provide direction to boards on the development and implementation of their policies on bullying prevention and intervention.

Providing students[2] with an opportunity to learn and develop in a safe and respectful society is a shared responsibility in which school boards and schools play an important role. Schools that have bullying prevention and intervention strategies foster a positive learning and teaching environment that supports academic achievement for all students and that helps students reach their full potential.

A positive "school climate is a crucial component of prevention; it may be defined as the sum total of all of the personal relationships within a school. When these relationships are founded in mutual acceptance and inclusion, and modelled by all, a culture of respect becomes the norm."[3] A positive school climate exists when all members of the school community feel safe, comfortable, and accepted. To help achieve a positive environment in their schools, boards and schools should actively promote and support positive

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[1] In this memorandum, *school board(s)* and *board(s)* refer to district school boards and school authorities.

[2] The term *student*, as used in this memorandum, refers to *pupil,* as used in the Education Act.

[3] *Safe Schools Policy and Practice: An Agenda for Action*, Report of the Safe Schools Action Team (Toronto: June 2006), p. 8.

behaviours that reflect their character development initiatives. They should also endeavour to ensure that parents[4] and members of the broader community are involved in the school community.

Boards should support and maintain a positive school climate in their schools. The following are some characteristics of a positive school climate:[5]

- Students and staff feel safe and are safe.
- Healthy and inclusive relationships are promoted.
- Students are encouraged to be positive leaders in their school community.
- All partners are actively engaged.
- Bullying prevention messages are reinforced through programs addressing discrimination based on such factors as age, race, sexual orientation, gender, faith, disability, ethnicity, and socio-economic disadvantage.
- Improvement of learning outcomes for all students is emphasized.

In recognition of the importance of addressing bullying, which can have a significant impact on student safety, learning, and the school climate, bullying has been added to the list of infractions for which suspension must be considered. With the passage of the Education Amendment Act (Progressive Discipline and School Safety), 2007, this change comes into effect February 1, 2008. For the relevant sections of the Education Act and Ontario Regulation 472/07, see the excerpts provided in the Appendix to this memorandum.

RESEARCH

Research and experience show that bullying is a serious issue that has far-reaching consequences for individuals, their families and peers, and the community at large. According to the Centre for Addiction and Mental Health, one-third of students are being bullied at school and almost a third of students report having bullied someone else.[6] Research indicates that a clearly articulated school-wide bullying prevention policy is the foundation of effective bullying prevention programming.

If students who are bullied, who bully others, or who witness bullying receive the necessary support, they can learn effective strategies for interacting positively with others and for promoting positive peer dynamics. Research also shows that administrators and teachers need to be provided with opportunities to acquire the knowledge and skills necessary to address bullying through school-level bullying prevention and intervention strategies.

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[4] In this memorandum, *parent(s)* refers to parent(s) and guardian(s). Parental involvement applies, except in cases where the student is eighteen years of age or over or is sixteen or seventeen years of age and has "withdrawn from parental control".

[5] Based on *Safe Schools Policy and Practice: An Agenda for Action*, Report of the Safe Schools Action Team (Toronto: June 2006), p. 7.

[6] Edward M. Adlaf, Angela Paglia-Boak, Joseph H. Beitchman, and David Wolfe, *The Mental Health and Well-Being of Ontario Students, 1991–2005*. Ontario Student Drug Use Survey, CAMH Research Document Series, No. 18 (Toronto: Centre for Addiction and Mental Health, 2005), p. 89.

DEFINITION OF *BULLYING*

For the purposes of developing and implementing policies on bullying prevention and intervention, boards will use the following definition of *bullying*:

> Bullying is typically a form of repeated, persistent, and aggressive behaviour directed at an individual or individuals that is intended to cause (or should be known to cause) fear and distress and/or harm to another person's body, feelings, self-esteem, or reputation. Bullying occurs in a context where there is a real or perceived power imbalance.

Students may attain or maintain power over others in the school through real or perceived differences. Some areas of difference may be size, strength, age, intelligence, economic status, social status, solidarity of peer group, religion, ethnicity, disability, need for special education, sexual orientation, family circumstances, gender, and race.

Bullying is a dynamic of unhealthy interaction that can take many forms. It can be physical (e.g., hitting, pushing, tripping), verbal (e.g., name calling, mocking, or making sexist, racist, or homophobic comments), or social (e.g., excluding others from a group, spreading gossip or rumours). It may also occur through the use of technology (e.g., spreading rumours, images, or hurtful comments through the use of e-mail, cellphones, text messaging, Internet websites, or other technology).

Children who suffer prolonged victimization through bullying, as well as children who use power and aggression as bullies, may experience a range of psycho-social problems that may extend into adolescence and adulthood.

SCHOOL BOARD POLICIES ON BULLYING PREVENTION AND INTERVENTION

Policy Development

In developing their policies, boards have the flexibility to take into account local needs and circumstances, such as geographical considerations, demographics, cultural needs, and availability of board and community support and resources.

Boards should draw upon evidence-based practices that promote positive student behaviour. In the development of their policies, boards must consult with school councils. They should also consult with parents, principals,[7] teachers, students, their Parent Involvement Committee, their Special Education Advisory Committee, community partners, social service agencies, members of Aboriginal communities (e.g., Elders), and those groups that are traditionally not consulted.

Boards must take into account the needs of individual students by showing sensitivity to diversity, to cultural needs, and to special education needs in their policies, in keeping with the relevant ministry

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[7] In this memorandum, *principal* refers to the principal or to a person designated by the principal or by the board.

policies on antiracism and ethnocultural equity and antidiscrimination education and with the principles in the ministry document *Ontario First Nation, Métis, and Inuit Education Policy Framework, 2007*. Where possible, the policies should incorporate other relevant board-wide policies, strategies, and initiatives, such as Student Success and character development.

Boards are required to adhere to the Municipal Freedom of Information and Protection of Privacy Act, the Ontario Human Rights Code, and the Education Act and regulations made under the Act in the development and implementation of their policies. Board policies must respect all applicable collective agreements. Boards should consult with their legal counsel and freedom of information coordinators to ensure that they are fulfilling their legal responsibilities.

Policy Components and Implementation Strategies

1. Policy Statement

Board policies must include the following statements:

- Bullying adversely affects students' ability to learn.
- Bullying adversely affects healthy relationships and the school climate.
- Bullying adversely affects a school's ability to educate its students.
- Bullying will not be accepted on school property, at school-related activities, on school buses, or in any other circumstances (e.g., online) where engaging in bullying will have a negative impact on the school climate.

2. The Definition of Bullying

Board policies must include the definition of *bullying* that is contained in this memorandum on page 3.

3. Prevention Strategies

Board policies must include a comprehensive prevention strategy that includes expectations for appropriate student behaviour.

Board policies should include teaching strategies that support the school-wide bullying prevention policies. These strategies should focus on developing healthy relationships by including bullying prevention in daily classroom teaching (e.g., by including books that deal with bullying on reading lists).

School boards should provide opportunities for all students to participate in bullying prevention training and leadership initiatives within their own school.

4. Intervention Strategies

Board policies must include a comprehensive intervention strategy to address incidents of bullying, including appropriate and timely responses. Intervention should be done in ways that are consistent with a progressive discipline approach. The strategies could range from early interventions to more intensive interventions in cases of persistent bullying, with possible referral to community or social service agencies. Ongoing interventions may be necessary to sustain and promote positive student behaviour.

Boards must also put in place procedures to allow students to report bullying incidents safely and in a way that will minimize the possibility of reprisal. These procedures should also define the responsibilities and roles of the principal, teachers, parents, and students.

Boards must provide support for students who have been bullied, students who have bullied others, and students who have been affected by observing bullying.

Board policies should include teaching strategies that support a comprehensive intervention strategy. These strategies should focus on developing healthy relationships by including bullying prevention throughout the curriculum in daily classroom teaching.

5. Training Strategies for Members of the School Community

Boards must put in place training strategies for all administrators, teachers, and educational assistants on bullying prevention and intervention, including training on cultural sensitivity and on respect for diversity and special education needs. Boards may also make training available to other adults who have significant contact with students (e.g., other school staff, school bus operators/drivers, volunteers). Boards should also recognize the ongoing need to support training for new teachers and support staff.

6. Communication and Outreach Strategies

Boards must actively communicate their policies and procedures on bullying prevention and intervention, as well as the definition of *bullying*, to students, parents, teachers and other school staff, school councils, volunteers, and school bus operators/drivers.

It is important that the roles and responsibilities of all members of the school community (e.g., principals, teachers, students, parents) be clearly articulated and understood.

Boards should make every effort to share this information with parents whose first language is a language other than English or French.

7. Monitoring and Review

Boards must establish a monitoring and review process to determine the effectiveness of their bullying prevention and intervention policies and procedures. This process should include the following:

- an analysis of the school climate through anonymous surveys of students, staff members, and parents provided by their schools (these surveys should be done on a regular cycle, as determined by the board)
- performance indicators for monitoring, reviewing, and evaluating the effectiveness of the board's bullying prevention and intervention policies

SCHOOL-LEVEL PLANS

School boards must require that all their schools develop and implement school-wide bullying prevention and intervention plans as part of their School Improvement Plan. Components of these plans must include the following:[8]

- the definition of *bullying*
- prevention strategies
- intervention strategies
- training strategies for members of the school community
- communication and outreach strategies
- monitoring and review processes

The school plans must be consistent with the policies in this memorandum and with the policies and procedures of the board.

SAFE SCHOOLS TEAMS

Each school must have in place a safe schools team responsible for school safety that is composed of at least one student (where appropriate), one parent, one teacher, one support staff member, one community partner, and the principal. The team must have a staff chair. An existing school committee (e.g., healthy schools committee) can assume this role.

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[8] *Shaping Safer Schools: A Bullying Prevention Action Plan*, Report of the Safe Schools Action Team (November 2005), pp. 24–27.

APPENDIX: EXCERPTS FROM THE LEGISLATION

Education Act, as amended by the Education Amendment Act (Progressive Discipline and School Safety), 2007

Relevant excerpts from sections 301, 302, and 306 of the Education Act, as amended by the Education Amendment Act (Progressive Discipline and School Safety), 2007, are provided below for ease of reference. Note that the Act now adds bullying to the list of infractions for which suspension must be considered.

Policies and guidelines promoting safety

301. (7) The Minister may establish policies and guidelines to promote the safety of pupils.

Duty of boards

(9) The Minister may require boards to comply with policies and guidelines established under this section.

Board's policies and guidelines promoting safety

302. (3) If required to do so by the Minister, a board shall establish policies and guidelines to promote the safety of pupils, and the policies and guidelines must be consistent with those established by the Minister under section 301 and must address such matters and include such requirements as the Minister may specify.

SUSPENSION

Activities leading to possible suspension

306. (1) A principal shall consider whether to suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate:

1. Uttering a threat to inflict serious bodily harm on another person.
2. Possessing alcohol or illegal drugs.
3. Being under the influence of alcohol.
4. Swearing at a teacher or at another person in a position of authority.
5. Committing an act of vandalism that causes extensive damage to school property at the pupil's school or to property located on the premises of the pupil's school.
6. **Bullying.**
7. Any other activity that is an activity for which a principal may suspend a pupil under a policy of the board.

Factors principal must consider

(2) In considering whether to suspend a pupil for engaging in an activity described in subsection (1), a principal shall take into account any mitigating or other factors prescribed by the regulations.

Ontario Regulation 472/07, "Suspension and Expulsion of Pupils"

Relevant excerpts from Ontario Regulation 472/07, made under the Education Act, are provided below for ease of reference.

Mitigating factors

2. For the purposes of subsections 306 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7) (b) and 311.4 (2) (b) of the Act, the following mitigating factors shall be taken into account:

1. The pupil does not have the ability to control his or her behaviour.
2. The pupil does not have the ability to understand the foreseeable consequences of his or her behaviour.
3. The pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person.

Other factors

3. For the purposes of subsections 306 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7) (b) and 311.4 (2) (b) of the Act, the following other factors shall be taken into account if they would mitigate the seriousness of the activity for which the pupil may be or is being suspended or expelled:

1. The pupil's history.
2. Whether a progressive discipline approach has been used with the pupil.
3. Whether the activity for which the pupil may be or is being suspended or expelled was related to any harassment of the pupil because of his or her race, ethnic origin, religion, disability, gender or sexual orientation or to any other harassment.
4. How the suspension or expulsion would affect the pupil's ongoing education.
5. The age of the pupil.
6. In the case of a pupil for whom an individual education plan has been developed,
   i. whether the behaviour was a manifestation of a disability identified in the pupil's individual education plan,
   ii. whether appropriate individualized accommodation has been provided, and
   iii. whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.

Ontario

SUPERCEDED

Policy/Program Memorandum No. 144

LIBRARY
MAR 2 4 2010
OISE/UT

Date of Issue: October 19, 2009

Effective: Until revoked or modified

Subject: BULLYING PREVENTION AND INTERVENTION

Application: Directors of Education
Superintendents of School Authorities
Principals of Elementary Schools
Principals of Secondary Schools
Principals of Provincial Schools
Special Education Advisory Committees

Reference: This memorandum replaces Policy/Program Memorandum No. 144, October 4, 2007.

Introduction

School boards[1] in Ontario are required to have and implement policies on bullying prevention and intervention. School boards are now required to review and revise their existing policies and procedures on bullying prevention and intervention and are required to have their revised policies and procedures in place by February 1, 2010.

The purpose of this memorandum is to provide direction to boards on required revisions to their existing policies and procedures on bullying prevention and intervention.

Providing students[2] with an opportunity to learn and develop in a safe and respectful community is a shared responsibility in which school boards and schools play an important role. Schools that have bullying prevention and intervention strategies foster a positive learning and teaching environment that supports academic achievement for all students and that helps students reach their full potential.

A positive "school climate is a crucial component of prevention; it may be defined as the sum total of all of the personal relationships within a school. When these relationships are founded in mutual acceptance and inclusion, and modelled by all, a culture of respect becomes the norm."[3] A positive school climate exists when all members of the school community feel safe, comfortable, and accepted. To help achieve a positive environment, boards and schools should actively promote and support positive behaviours that reflect their character development initiatives. They should also endeavour to ensure that parents[4] and members of the broader community are involved in the school community.

Boards should support and maintain a positive school climate in their schools. The following are some characteristics of a positive school climate:[5]

- Students and staff feel safe and are safe.
- Healthy and inclusive relationships are promoted.
- Students are encouraged to be positive leaders in their school community.
- All partners are actively engaged.

- Bullying prevention and awareness-raising strategies for students and staff are reinforced through programs addressing discrimination based on such factors as age, race, sexual orientation, gender, faith, disability, ethnicity, and socio-economic disadvantage.
- Improvement of learning outcomes for all students is emphasized.

In recognition of the importance of addressing bullying, which can have a significant impact on student safety, learning, and the school climate, bullying is one of the infractions for which suspension must be considered. For the relevant sections of the Education Act and Ontario Regulation 472/07, see the excerpts provided in Appendix 1 to this memorandum.

Research

Research and experience show that bullying is a serious issue that has far-reaching consequences for individuals, their families and peers, and the community at large. According to the Centre for Addiction and Mental Health, one-third of students are being bullied at school and almost a third of students report having bullied someone else.6 Research indicates that a clearly articulated school-wide bullying prevention policy is the foundation of effective bullying prevention programming.

If students who are bullied, who bully others, or who witness bullying receive the necessary support, they can learn effective strategies for interacting positively with others and for promoting positive peer dynamics. Research also shows that administrators and teachers need to be provided with opportunities to acquire the knowledge and skills necessary to address bullying through school-level bullying prevention and intervention strategies.

Definition of *Bullying*

For the purposes of policies on bullying prevention and intervention, school boards will use the following definition of *bullying*:

> Bullying is typically a form of repeated, persistent, and aggressive behaviour directed at an individual or individuals that is intended to cause (or should be known to cause) fear and distress and/or harm to another person's body, feelings, self-esteem, or reputation. Bullying occurs in a context where there is a real or perceived power imbalance.

Students may attain or maintain power over others in the school through real or perceived differences. Some areas of difference may be size, strength, age, intelligence, economic status, social status, solidarity of peer group, religion, ethnicity, disability, need for special education, sexual orientation, family circumstances, gender, and race.

Bullying is a dynamic of unhealthy interaction that can take many forms. It can be physical (e.g., hitting, pushing, tripping), verbal (e.g., name calling, mocking, or making sexist, racist, or homophobic comments), or social (e.g., excluding others from a group, spreading gossip or rumours). It may also occur through the use of technology (e.g., spreading rumours, images, or hurtful comments through the use of e-mail, cellphones, text messaging, Internet websites, or other technology).

Children who suffer prolonged victimization through bullying, as well as children who use power and aggression as bullies, may experience a range of psycho-social problems that may extend into adolescence and adulthood.

School Board Policies On Bullying Prevention And Intervention

Policy Development

In revising their policies and procedures on bullying prevention and intervention, boards have the flexibility to take into account local needs and circumstances, such as geographical considerations, demographics, cultural needs, and availability of board and community supports and resources.

Boards should draw upon evidence-based practices that promote positive student behaviour. In revising their policies, boards must consult with school councils. They should also consult with parents,

principals,7 teachers, and non-teaching staff (including, but not limited to, staff in social work, child and youth work, psychology, and related areas, and educational assistants), as well as students, their Parent Involvement Committee, their Special Education Advisory Committee, community partners, social service agencies, members of Aboriginal communities (e.g., Elders), and other appropriate community groups.

Board policies must reflect the principles outlined in related documents, such as Policy/Program Memorandum No. 119, "Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools", June 24, 2009; Regulation 181/98, "Identification and Placement of Exceptional Pupils"; *Individual Education Plans: Standards for Development, Program Planning, and Implementation, 2000*; *Ontario First Nation, Métis, and Inuit Education Policy Framework, 2007*; and *English Language Learners: ESL and ELD Programs and Services, 2007*. Where possible, the policies should incorporate other relevant board-wide policies, strategies, and initiatives, such as Student Success, the equity and inclusive education strategy, and character development.

Boards are required to adhere to the Municipal Freedom of Information and Protection of Privacy Act, the Ontario Human Rights Code, and the Education Act and regulations made under the Act in the development and implementation of their policies. Board policies must respect all applicable collective agreements. Boards should consult with their legal counsel and freedom of information coordinators to ensure that they are fulfilling their legal responsibilities.

Policy Components and Implementation Strategies

1. Policy Statement

Board policies must include the following statements:

- Bullying adversely affects a student's ability to learn.
- Bullying adversely affects healthy relationships and the school climate.
- Bullying adversely affects a school's ability to educate its students.
- Bullying will not be accepted on school property, at school-related activities, on school buses, or in any other circumstances (e.g., online) where engaging in bullying will have a negative impact on the school climate.

2. The Definition of Bullying

Board policies must include the definition of *bullying* that is contained on page 2 of this memorandum.

3. Prevention and Awareness-Raising Strategies

Board policies must include a comprehensive prevention and awareness-raising strategy that includes expectations for appropriate student behaviour.

Board policies should include teaching strategies that support the school-wide bullying prevention policies. These strategies should focus on developing healthy relationships by including bullying prevention in daily classroom teaching (e.g., by including on reading lists books that deal with bullying).

School boards should provide opportunities for all students to participate in bullying prevention training and leadership initiatives within their own school.

4. Intervention and Support Strategies

Board policies must include a comprehensive intervention strategy to address incidents of bullying, including appropriate and timely responses. Intervention and support should be consistent with a progressive discipline approach. The strategies could range from early interventions to more intensive interventions in cases of persistent bullying, with possible referral to community or social service agencies. Ongoing intervention and support may be necessary to sustain and promote positive student behaviour. For a student with special education needs, interventions, supports, and consequences must be consistent with the student's strengths, needs, goals, and expectations contained in his or her Individual Education Plan (IEP).

All employees of the board must take seriously all allegations of bullying behaviour and act in a timely, sensitive, and supportive manner when responding to students who disclose or report bullying incidents.

Board employees who work directly with students – including administrators, teachers, and non-teaching staff (including staff in social work, child and youth work, psychology, and related areas, and educational assistants) – must respond to any student behaviour that is likely to have a negative impact on the school climate. Such behaviour includes all inappropriate and disrespectful behaviour at any time at school and at any school-related event if, in the employee's opinion, it is safe to respond to it, in accordance with subsection 300.4 of Part XIII of the Education Act and Ontario Regulation 472/07. Such inappropriate behaviour may involve bullying.

Boards must also put in place procedures to allow students to report bullying incidents safely and in a way that will minimize the possibility of reprisal. These procedures should also define the responsibilities and roles of the principal, teachers, parents, and students.

Boards must provide support for students who have been bullied, students who have bullied others, and students who have been affected by observing bullying.

Boards must outline in their policies the procedures that are in place to support students – as well as their parents – regarding bullying issues, including bullying based on gender and on sexual orientation. These policies and procedures must outline what schools are required to do to support these students, including the development of specific plans to protect victims, and must outline a process for parents to follow if they are not satisfied with the supports that their children receive. In Policy/Program Memorandum No. 145, "Progressive Discipline and Promoting Positive Student Behaviour", October 19, 2009, the ministry provides further direction to boards regarding supports for students who have been harmed as a result of any incident for which suspension or expulsion must be considered.

Board policies should include teaching strategies that focus on developing healthy relationships by including bullying prevention throughout the curriculum in daily classroom teaching.

5. Reporting to Principals

The purpose of reporting incidents of inappropriate and disrespectful behaviour is to ensure that the principal is aware of any activities taking place in the school for which suspension or expulsion must be considered.

Section 300.2 of Part XIII of the Education Act states that an employee of the board who becomes aware that a student at a school of the board may have engaged in an activity for which suspension or expulsion must be considered shall report the matter to the principal as soon as reasonably possible. The employee must consider the safety of others and the urgency of the situation in reporting the incident, but, in any case, must report it to the principal no later than the end of the school day.

In cases where an immediate action is required, a verbal report to the principal may be made. A written report must be made when it is safe to do so.

All employee reports made to the principal must be confirmed in writing, using the "Safe Schools Incident Reporting Form – Part I" in Appendix 2 to this memorandum. Boards must specify on this form any other activities for which a student may be suspended or expelled, according to board policy. Boards must not make any other modifications to this form.

Boards are expected to provide information to board employees on completing the Safe Schools Incident Reporting Forms provided in Appendix 2 to this memorandum. For example, employees who are reporting an incident must submit the "Safe Schools Incident Reporting Form – Part I" to the principal in a timely manner. The principal must provide the person who submitted the report with written acknowledgement of receipt on the "Safe Schools Incident Reporting Form – Part II". Each report will be assigned a report number.

If the principal has decided that action must be taken as a result of an incident of bullying, he or she will file a copy of the reporting form with documentation indicating the action taken in the Ontario Student Record (OSR) of the student whose behaviour was inappropriate. The names of all other students that appear on the form – both aggressors and victims – must be removed from the form before it is filed in the student's OSR.

Where the principal has taken action in the case of more than one student, a copy of the reporting form and documentation indicating the action taken must be filed in the OSR of each student whose behaviour was inappropriate. The names of all other students that appear on the form – both aggressors and victims – must be removed from the form before it is filed in the OSR of the student whose behaviour was inappropriate.

In the case of the victim, no information about the incident must be placed in his or her OSR, unless the victim or parent of the victim expressly requests that it be placed in the OSR.

In situations where the victim is also an aggressor and the principal has taken some action short of suspension, no information about the incident must be placed in this student's OSR if the principal has decided not to notify this student's parents. However, if the principal has notified this student's parents, information regarding the incident and the action taken will be placed in the OSR.

The form and documentation must be kept in the OSR for a minimum of one year unless the board has required a longer period.

In all cases, the principal must provide the employee who reported the incident with written acknowledgement of receipt of the report, using the "Safe Schools Incident Reporting Form – Part II", and must specify whether action has been taken or no action is required. If no further action is taken by the principal, the principal is not required to retain the report, and should destroy it. Information that could identify the student(s) involved must not be part of the acknowledgement.

In addition to employees of the board, school bus drivers must also be required to report such incidents in writing to the principal of the school. Boards are required to include bus driver reporting requirements in their transportation policies and contracts.

Boards may also put policies in place to require other non-board employees who come into direct contact with students on a regular basis, as outlined in subsection 300.4 (5.3) of Part XIII of the Education Act, to report such matters to the principal (e.g., outdoor education instructors).

6. Training Strategies for Administrators, Teachers, and Non-teaching Staff

Boards must put in place training strategies on bullying prevention and intervention for all administrators, teachers, and non-teaching staff (including staff in social work, child and youth work, psychology, and related areas, and educational assistants). The training strategies must include ways of responding to gender-based and homophobic bullying that are consistent with equity training on cultural sensitivity, on respect for diversity, and on special education needs. Boards may also make training available to other adults who have significant contact with students (e.g., school bus operators/drivers, volunteers). Boards should also recognize the ongoing need to support training for new teachers.

7. Communications and Outreach Strategies

Boards must actively communicate their policies and procedures on bullying prevention and intervention to students, parents, teachers and other school staff, their Special Education Advisory Committee, school councils, and school bus operators and drivers.

It is important that the roles and responsibilities of all members of the school community (e.g., principals, teachers, students, parents) be clearly articulated and understood.

Boards should make every effort to provide access to appropriate supports for parents (taking into account linguistic, ethnocultural, and disability considerations) and to expand opportunities to support teachers in addressing bullying issues.

8. Monitoring and Review

Boards must monitor, review, and evaluate the effectiveness of board policies and procedures through indicators established in consultation with teachers, non-teaching staff, students, parents, school councils, their Special Education Advisory Committee, their Parent Involvement Committee, and service providers in the community. Boards will also conduct a cyclical review of their policies and procedures in a timely manner.

School-Level Plans

School boards must require that all their schools revise their existing school-wide bullying prevention and intervention plans as part of their School Improvement Plan. Components of these plans must include the following:8

- the definition of *bullying*
- prevention and awareness-raising strategies
- intervention and support strategies, including plans to protect victims
- reporting requirements
- training strategies for members of the school community
- communication and outreach strategies
- monitoring and review processes

The school plans must be consistent with the policies in this memorandum and with the policies and procedures of the board.

Safe Schools Teams

Each school must have in place a safe schools team responsible for school safety that is composed of at least one student (where appropriate), one parent, one teacher, one non-teaching staff member, one community partner, and the principal. An existing school committee (e.g., the healthy schools committee) can assume this role. The chair of this team must be a staff member.

Appendix 1: Excerpts From The Legislation

Education Act, as amended by the Education Amendment Act (Keeping Our Kids Safe at School), 2009

Relevant excerpts from section 300 of the Education Act, as amended by the Education Amendment Act (Keeping Our Kids Safe at School), 2009, are provided below for ease of reference.

Delegation by principals
300.1 (1) A principal of a school may delegate in writing any of his or her powers, duties or functions under this Part to,
(a) a vice-principal of the school; and
(b) a teacher employed in the school.

Same
(2) A teacher who is not a vice-principal may only act under a delegation under this section if the principal and vice-principal of the school are absent from the school.

Same
(3) A delegation under this section is subject to any restrictions, limitations and conditions set out in the delegation.

Same
(4) A delegation under this section shall be in accordance with any policies and guidelines established by the Minister under subsection 301 (5.1) or by the board under subsection 302 (0.1).

Reporting to the principal
300.2 (1) An employee of a board who becomes aware that a pupil of a school of the board may have engaged in an activity described in subsection 306 (1) or 310 (1) shall, as soon as reasonably possible, report to the principal of the school about the matter.

Notice to parent or guardian
300.3 (1) Subject to subsections (2) and (3), if the principal of a school believes that a pupil of the

school has been harmed as a result of an activity described in subsection 306 (1) or 310 (1), the principal shall, as soon as reasonably possible, notify the parent or guardian of the pupil.

Same

(2) A principal shall not, without the pupil's consent, notify a parent or guardian of a pupil who is,
(a) 18 years or older; or
(b) 16 or 17 years old and has withdrawn from parental control.

Same

(3) A principal shall not notify a parent or guardian of a pupil if in the opinion of the principal doing so would put the pupil at risk of harm from a parent or guardian of the pupil, such that the notification is not in the pupil's best interests.

Same

(4) When notifying a parent or guardian of a pupil under this section, the principal shall disclose,
(a) the nature of the activity that resulted in harm to the pupil;
(b) the nature of the harm to the pupil; and
(c) the steps taken to protect the pupil's safety, including the nature of any disciplinary measures taken in response to the activity.

Same

(5) When notifying a parent or guardian under this section, the principal shall not disclose the name of or any other identifying or personal information about a pupil who engaged in the activity that resulted in the harm, except in so far as is necessary to comply with subsection (4).

Response by board employees

300.4 (1) If the Minister has established policies or guidelines under subsection 301 (5.6), an employee of a board who observes a pupil of a school of the board behaving in a way that is likely to have a negative impact on the school climate shall respond in accordance with those policies and guidelines and in accordance with any policies and guidelines established by the board under subsection 302 (3.3).

Exception

(2) Subsection (1) does not apply in circumstances set out in a regulation made under clause 316 (1) (d).

2. Section 301 of the Act is amended by adding the following subsections:

Same, governing delegation by principals

(5.1) The Minister may establish policies and guidelines with respect to delegation by principals, under section 300.1, of their powers, duties or functions under this Part.

Same, reporting to principals

(5.2) The Minister may establish policies and guidelines requiring individuals described in subsection (5.3) who become aware that a pupil of a school of a board may have engaged in an activity described in subsection 306 (1) or 310 (1) to report to the principal of the school about the matter, as soon as reasonably possible.

Same

(5.3) The individuals referred to in subsection (5.2) are individuals who are not board employees who come into direct contact with pupils of a board on a regular basis in the normal course of,
(a) providing goods or services to the board;
(b) carrying out their employment functions as an employee of a person who provides goods or services to the board; or
(c) providing services to a person who provides goods or services to the board.

Same

(5.4) The Minister may establish policies and guidelines with respect to reporting to principals under section 300.2 or under a policy or guideline established under subsection (5.2).

Same, support to certain pupils

(5.5) The Minister may establish policies and guidelines with respect to the support to be provided to a pupil when a principal does not notify a parent or guardian of the pupil because of the circumstances described in subsection 300.3 (3).

Same, governing responses by board employees

(5.6) The Minister may establish policies and guidelines with respect to responses under section 300.4 by employees of a board, including but not limited to policies and guidelines with respect to the kinds of responses that are appropriate.

3. (1) Section 302 of the Act is amended by adding the following subsection:

Board Policies And Guidelines

Delegation by principals

(0.1) Every board shall establish policies and guidelines with respect to delegation by principals, under section 300.1, of their powers, duties or functions under this Part and the policies and guidelines must be consistent with the policies and guidelines established by the Minister under section 301, and must address such matters and include such requirements as the Minister may specify.

(2) Section 302 of the Act is amended by adding the following subsections:

Same, reporting to principals

(3.1) If required to do so by the Minister, a board shall establish policies and guidelines with respect to reporting to principals under section 300.2 or under a policy or guideline established under subsection 301 (5.2), and the policies and guidelines must be consistent with those established by the Minister under section 301 and must address such matters and include such requirements as the Minister may specify.

Same, support to certain pupils

(3.2) If required to do so by the Minister, a board shall establish policies and guidelines with respect to the support to be provided to a pupil when a principal does not notify a parent or guardian of the pupil because of the circumstances described in subsection 300.3 (3), and the policies and guidelines must be consistent with those established by the Minister under section 301 and must address such matters and include such requirements as the Minister may specify.

Same, governing responses by board employees

(3.3) If required to do so by the Minister, a board shall establish policies and guidelines with respect to responses under section 300.4 by employees of a board, including but not limited to policies and guidelines with respect to the kinds of responses that are appropriate, and the policies and guidelines must be consistent with those established by the Minister under section 301, and must address such matters and include such requirements as the Minister may specify.

4. Subsection 316 (1) of the Act is amended by adding the following clauses:

(c) governing actions to be taken by a principal who does not notify a parent or guardian of the pupil because of the circumstances described in subsection 300.3 (3);

(d) setting out circumstances in which employees are not required to respond under section 300.4.

Education Act, as amended by the Education Amendment Act (Progressive Discipline and School Safety), 2007

Relevant excerpts from sections 301, 302, and 306 of the Education Act, as amended by the Education Amendment Act (Progressive Discipline and School Safety), 2007, are provided below for ease of reference. Note that bullying is one of the infractions for which suspension must be considered.

Policies and guidelines promoting safety

301. (7) The Minister may establish policies and guidelines to promote the safety of pupils.

Duty of boards

(9) The Minister may require boards to comply with policies and guidelines established under this section.

Board's policies and guidelines promoting safety

302. (3) If required to do so by the Minister, a board shall establish policies and guidelines to

promote the safety of pupils, and the policies and guidelines must be consistent with those established by the Minister under section 301 and must address such matters and include such requirements as the Minister may specify.

Suspension

Activities leading to possible suspension

306. (1) A principal shall consider whether to suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate:

1. Uttering a threat to inflict serious bodily harm on another person.
2. Possessing alcohol or illegal drugs.
3. Being under the influence of alcohol.
4. Swearing at a teacher or at another person in a position of authority.
5. Committing an act of vandalism that causes extensive damage to school property at the pupil's school or to property located on the premises of the pupil's school.
6. **Bullying.**
7. Any other activity that is an activity for which a principal may suspend a pupil under a policy of the board.

Factors principal must consider

(2) In considering whether to suspend a pupil for engaging in an activity described in subsection (1), a principal shall take into account any mitigating or other factors prescribed by the regulations.

Ontario Regulation 472/07, "Behaviour, Discipline and Safety of Pupils" (formerly "Suspension and Expulsion of Pupils")

Relevant excerpts from Ontario Regulation 472/07, made under the Education Act, are provided below for ease of reference.

Mitigating factors

2. For the purposes of subsections 306 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7) (b) and 311.4 (2) (b) of the Act, the following mitigating factors shall be taken into account:

1. The pupil does not have the ability to control his or her behaviour.
2. The pupil does not have the ability to understand the foreseeable consequences of his or her behaviour.
3. The pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person.

Other factors

3. For the purposes of subsections 306 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7) (b) and 311.4 (2) (b) of the Act, the following other factors shall be taken into account if they would mitigate the seriousness of the activity for which the pupil may be or is being suspended or expelled:

1. The pupil's history.
2. Whether a progressive discipline approach has been used with the pupil.
3. Whether the activity for which the pupil may be or is being suspended or expelled was related to any harassment of the pupil because of his or her race, ethnic origin, religion, disability, gender or sexual orientation or to any other harassment.
4. How the suspension or expulsion would affect the pupil's ongoing education.
5. The age of the pupil.
6. In the case of a pupil for whom an individual education plan has been developed,
    i. whether the behaviour was a manifestation of a disability identified in the pupil's individual education plan,
    ii. whether appropriate individualized accommodation has been provided, and
    iii. whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.

Principal's duties where no notification to parent or guardian

7. If the principal of a school believes that a pupil of the school has been harmed as a result of an activity described in subsection 306 (1) or 310 (1) of the Act, and the principal does not notify a parent or guardian of the pupil because of the circumstances described in subsection 300.3 (3) of the Act, the principal shall,

(a) document the rationale for the decision not to notify a parent or guardian of the pupil;

(b) inform the appropriate supervisory officer of the decision not to notify a parent or guardian of the pupil;

(c) if a teacher informed the principal of the harm, inform the teacher of the decision not to notify a parent or guardian of the pupil; and

(d) if the principal determines it is appropriate to do so, inform other board employees of the decision not to notify a parent or guardian of the pupil.

Where no response is required

8. An employee of a board who observes a pupil of a school of the board behaving in a way that is likely to have a negative impact on the school climate is not required to respond under section 300.4 of the Act if responding would, in the employee's opinion, cause immediate physical harm to himself or herself or to that of a student or another person.

Appendix 2: Safe Schools Incident Reporting Forms (PDF, 1 KB)

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1. In this memorandum, *school board(s)* and *board(s)* refer to district school boards and school authorities.

2. The term *student*, as used in this memorandum, refers to *pupil,* as used in the Education Act.

3. *Safe Schools Policy and Practice: An Agenda for Action*, Report of the Safe Schools Action Team (Toronto: June 2006), p. 8.

4. In this memorandum, *parent(s)* refers to parent(s) and guardian(s). For the purposes of Part XIII of the Education Act, students who are 18 years of age or older, and students who are 16 or 17 years of age but have withdrawn from parental control, are considered to be adults.

5. Based on *Safe Schools Policy and Practice: An Agenda for Action*, p. 7.

6. Edward M. Adlaf, Angela Paglia-Boak, Joseph H. Beitchman, and David Wolfe, *The Mental Health and Well-Being of Ontario Students, 1991–2005*. Ontario Student Drug Use Survey, CAMH Research Document Series, No. 18 (Toronto: Centre for Addiction and Mental Health, 2005), p. 89.

7. In this memorandum, *principal* refers to the principal or to a person designated by the principal or by the board.

8. *Shaping Safer Schools: A Bullying Prevention Action Plan*, Report of the Safe Schools Action Team (Toronto: November 2005), pp. 24–27.

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Ontario

Ministry of Education

Policy/Program Memorandum No. 144

Date of Issue: December 5, 2012

Effective: Until revoked or modified

Subject: BULLYING PREVENTION AND INTERVENTION

Application: Directors of Education
Supervisory Officers and Secretary-Treasurers of School Authorities
Principals of Elementary Schools
Principals of Secondary Schools
Principals of Provincial and Demonstration Schools
Chairs of Special Education Advisory Committees

Reference: This memorandum replaces Policy/Program Memorandum No.144, October 19, 2009.

INTRODUCTION

The purpose of this memorandum is to provide direction to school boards[1] on required revisions to their existing policies and guidelines on bullying prevention and intervention. The revised policies and guidelines must be in place by February 1, 2013.

School boards are required to establish their policies and guidelines on bullying prevention and intervention in accordance with subsection 302(3.4) of Part XIII of the Education Act.

Providing students[2] with an opportunity to learn and develop in a safe, inclusive, and accepting school climate is a shared responsibility in which school boards and schools play an important role. Schools that have bullying prevention and intervention policies foster a positive learning and teaching environment that supports academic achievement for all students and that helps students reach their full potential.

The school climate may be defined as the learning environment and relationships found within a school and school community. A positive school climate exists when all members of the school community feel safe, included, and accepted, and actively promote positive behaviours and interactions. Principles of equity and inclusive education are embedded in the learning environment to support a positive school climate and a culture of mutual respect. A positive school climate is a crucial component of bullying prevention.

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[1] In this memorandum, *school board(s)* and *board(s)* refer to district school boards and school authorities.

[2] *Student*, as used in this memorandum, refers to *pupil,* as used in the Education Act.

Building and sustaining a positive school climate is a complex challenge requiring evidence-informed solutions. A whole-school approach[3] involving all education and community partners is needed to bring about necessary systemic change.

The following are some characteristics of a positive school climate:[4]

- Students, staff members, and parents feel safe, and are safe, included, and accepted.
- All members of the school community demonstrate respect, fairness, and kindness in their interactions, building healthy relationships that are free from discrimination and harassment.
- Students are encouraged and given support to be positive leaders and role models in their school community.
- Open and ongoing dialogue takes place between the principal,[5] staff members, parents,[6] and students. All partners are actively engaged.
- The learning environment, instructional materials, and teaching and assessment strategies reflect the diversity of all learners.
- Every student is inspired and given support to succeed in an environment of high expectations.
- Bullying prevention and awareness-raising strategies for students and staff are reinforced through curriculum-linked programs.

Boards are expected to support and maintain a positive school climate in their schools.

In recognition of the importance of addressing bullying, which can have a significant impact on student safety, learning, and the school climate, bullying is one of the activities for which suspension must be considered.

Under recent amendments to the Education Act, principals must suspend a student for bullying and consider referring that student for expulsion if (1) the student has previously been suspended for bullying, and (2) the student's continuing presence in the school creates, in the principal's opinion, an unacceptable risk to the safety of another person. When both of these conditions are met, the principal must suspend the student and consider referring the student for an expulsion hearing.

Principals must also suspend a student, and consider referring that student for expulsion, for any incident under subsection 306(1) of the Education Act, including bullying, that is motivated by bias, prejudice, or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity, gender expression, or any other similar factor (e.g., socio-economic status, appearance).

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[3] For a description of the "whole-school approach", see Policy/Program Memorandum No. 145, "Progressive Discipline and Promoting Positive Student Behaviour", December 5, 2012.

[4] Based on Safe Schools Action Team, *Safe Schools Policy and Practice: An Agenda for Action* (Toronto: Queen's Printer for Ontario, 2006), p.7.

[5] In this memorandum, *principal* refers to the principal or to a person designated by the principal or by the board.

[6] In this memorandum, *parent(s)* refers to parent(s) and guardian(s). For the purposes of Part XIII of the Education Act, students who are 18 years of age or older, and students who are 16 or 17 years of age but have withdrawn from parental control, are to be treated as adults.

Bullying Awareness and Prevention Week has been established in subsection 300.0.2(1) of the Education Act as beginning on the third Sunday in November of each year. Its purpose is to heighten awareness and understanding of bullying and the impact it can have on the overall school environment.

RESEARCH

Research shows that bullying is a serious issue that has far-reaching consequences for individuals, their families and peers, and the community at large. According to the Centre for Addiction and Mental Health, almost one-third of students are being bullied at school and more than one-fifth of students report having bullied someone else.[7] Research indicates that a clearly articulated school-wide bullying prevention policy is the foundation of effective bullying prevention programming.

Research reveals significant findings, including the following:

- Experts call for early intervention for both the child who is a victim of bullying and the child who bullies. Without support, children who bully appear to learn how to use power and aggression to dominate others.[8]
- A safe and positive learning environment is essential for student success. The impact of bullying can be severe, and can include anxiety, physical ailments, absenteeism, diminished academic performance, and depression.[9]
- The effectiveness of a school involves more than students' achievement of academic success; it involves the development of relationships among staff, among students, and between staff and students to promote a safe environment and a positive school climate.[10]

If students who are bullied, who bully others, or who witness bullying receive the necessary support, they can learn effective strategies for interacting positively with others and for promoting positive peer dynamics. Research also shows that administrators, teachers, and other school staff[11] need to be provided with opportunities to acquire the knowledge and skills necessary to address bullying through school-level bullying prevention and intervention strategies that focus on building skills for healthy relationships.

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[7] Angela Paglia-Boak, Edward M. Adlaf, Hayley A. Hamilton, Joseph H. Beitchman, David Wolfe, and Robert E. Mann, *The Mental Health and Well-Being of Ontario Students, 1991–2011: Detailed OSDUHS Findings*. Ontario Student Drug Use and Health Survey, CAMH Research Document Series No. 34 (Toronto: Centre for Addiction and Mental Health, 2012), p. 68.

[8] Wendy M. Craig, Debra J. Pepler, Ashley Murphy, and Heather McCuaig-Edge, "What Works in Bullying Prevention?", in Eric M. Vernberg and Bridget K. Biggs, eds., *Preventing and Treating Bullying and Victimization* ([U.S.A.]: Oxford University Press, 2010), pp. 215–42.

[9] Office of the Auditor General, Ontario, *2010 Annual Report* (Toronto: Queen's Printer for Ontario, 2010), pp. 272–87.

[10] See Peter G. Jaffe, Lynn C. Watson, and Claire V. Crooks, *Creating Safe School Environments: From Small Steps to Sustainable Change* (London, Ont.: The Althouse Press, 2010).

[11] Other school staff include, but are not limited to, staff in social work, child and youth work, psychology, and related areas; early childhood educators; educational assistants; attendance counsellors; and Aboriginal education counsellors. Even though the term *school staff* is used in this memorandum, it is understood that staff at the school are employed by the board.

DEFINITION OF *BULLYING*

For the purposes of policies on bullying prevention and intervention, school boards must use the following definition of *bullying*, given in subsection 1(1) of the Education Act:

> "bullying" means aggressive and typically repeated behaviour by a pupil where,
> (a) the behaviour is intended by the pupil to have the effect of, or the pupil ought to know that the behaviour would be likely to have the effect of,
> (i) causing harm, fear or distress to another individual, including physical, psychological, social or academic harm, harm to the individual's reputation or harm to the individual's property, or
> (ii) creating a negative environment at a school for another individual, and
> (b) the behaviour occurs in a context where there is a real or perceived power imbalance between the pupil and the individual based on factors such as size, strength, age, intelligence, peer group power, economic status, social status, religion, ethnic origin, sexual orientation, family circumstances, gender, gender identity, gender expression, race, disability or the receipt of special education;
>
> **Bullying**
> (1.0.0.1) For the purposes of the definition of "bullying" in subsection (1), behaviour includes the use of any physical, verbal, electronic, written or other means.
>
> **Cyber-bullying**
> (1.0.0.2) For the purposes of the definition of "bullying" in subsection (1), bullying includes bullying by electronic means (commonly known as cyber-bullying), including,
> (a) creating a web page or a blog in which the creator assumes the identity of another person;
> (b) impersonating another person as the author of content or messages posted on the internet; and
> (c) communicating material electronically to more than one individual or posting material on a website that may be accessed by one or more individuals.

Aggressive behaviour may be intentional or unintentional, direct or indirect. It can take many forms, including physical, verbal, and social. If aggressive behaviour is physical, it may include hitting, pushing, slapping, and tripping. If it is verbal, it may include name calling, mocking, insults, threats, and sexist, racist, homophobic, or transphobic comments. If it is social, or relational, aggression, it is more subtle and may involve such behaviours as gossiping, spreading rumours, excluding others from a group, humiliating others with public gestures or graffiti, and shunning or ignoring. Social aggression may also occur through the use of technology (e.g., spreading rumours, images, or hurtful comments through the use of e-mail, cell phones, text messaging, Internet websites, social networking, or other technology).

Harm, as used in this memorandum, means harm that can be experienced in a number of ways, including physical, mental, emotional, and psychological.

In the course of a day, there are many "teachable moments" when issues appear to arise. Prompt intervention with a few moments of coaching and support at these critical times can help all children and youth, including those who may be at risk, to develop the skills and understanding that they need to maintain positive relationships with others. Such interactions that students have with their teachers, other school staff, and fellow students, as well as with principals, vice-principals, their parents, and others, can be used to help them improve their social skills.

SCHOOL BOARD BULLYING PREVENTION AND INTERVENTION PLANS

Every board must establish a bullying prevention and intervention plan for the schools of the board, and must require that all schools implement the board's plan in accordance with subsection 303.3(1). When establishing their plan, boards must solicit the views of students, teachers, principals, and other staff of the board, volunteers working in the schools, parents of the students, school councils, and the local community, in accordance with subsection 303.3(3) of the Education Act. They should also consult with their Special Education Advisory Committee and with community partners, including social service agencies, mental health agencies, members of First Nations, Métis, and Inuit communities, and other appropriate community groups. Boards may also choose to consult with their Parent Involvement Committees. The plan must be consistent with the policies in this memorandum and with the policies and procedures of the board.

The board's plan must be made available to the public either on the board's website or, if the board does not have a website, in another appropriate manner. Principals must also post the board's plan on the school website or, if the school does not have a website, must make it available to the public in another appropriate manner.

Boards must review their bullying prevention and intervention plan periodically (e.g., at least once every two years). Boards must solicit the views of those listed above when reviewing their plan.

SCHOOL BOARD POLICIES ON BULLYING PREVENTION AND INTERVENTION

Policy Development

In revising their policies and procedures on bullying prevention and intervention, boards have the flexibility to take into account local needs and circumstances, such as geographical considerations, demographics, cultural needs, and availability of board and community supports and resources.

Boards should draw upon evidence-informed practices that promote positive student behaviour. In revising their policies, boards must consult with students, teachers, principals, other school staff, volunteers working in the schools, parents, their school councils, and the public, as outlined in subsection 302(9) of the Education Act. They should also consult with their Special Education Advisory Committee and with community partners, including social service agencies, mental health agencies, members of First Nations, Métis, and Inuit communities, and other appropriate community groups. Boards may also choose to consult with their Parent Involvement Committees.

Board policies must be aligned with the requirements in Policy/Program Memorandum No. 119, "Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools", June 24, 2009; in Regulation 181/98, "Identification and Placement of Exceptional Pupils"; and in the Ontario curriculum policy documents.

Board policies should also be aligned with strategies and initiatives outlined in related ministry documents, including *Caring and Safe Schools in Ontario: Supporting Students with Special Education Needs through Progressive Discipline, Kindergarten to Grade 12, 2010*; *Ontario's Equity and Inclusive Education Strategy, 2009; Ontario First Nation, Métis, and Inuit Education Policy Framework, 2007*; and *English Language Learners: ESL and ELD Programs and Services, 2007*. Board policies should also be aligned with other relevant ministry strategies and initiatives, such as Student Success and character development, as well as with Ontario's mental health and addictions strategy.[12]

Boards are required to adhere to all applicable legislation – including the Municipal Freedom of Information and Protection of Privacy Act, the Ontario Human Rights Code, Accessibility for Ontarians with Disabilities Act, and the Education Act and regulations made under the Education Act – in the development and implementation of their policies. Board policies must respect all applicable collective agreements. Boards should consult with their legal counsel and freedom of information coordinators to ensure that they are fulfilling their legal responsibilities.

Policy Components and Implementation Strategies

The following components must be incorporated as part of each school board's bullying prevention and intervention policy.

1. Policy Statement

Board policies must include the following statements:

- Bullying adversely affects a student's ability to learn.
- Bullying adversely affects the school climate, including healthy relationships.
- Bullying will not be accepted on school property, at school-related activities, on school buses, or in any other circumstances (e.g., online) where engaging in bullying will have a negative impact on the school climate.

2. The Definition of Bullying

Boards must use the definition of *bullying* outlined in subsection 1(1) of the Education Act (quoted on page 4 above).

3. Prevention and Awareness Raising

Board policies must include a comprehensive prevention and awareness-raising strategy that includes expectations for appropriate student behaviour. The provincial Code of Conduct sets clear provincial standards of behaviour.[13]

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[12] *Open Minds, Healthy Minds: Ontario's Comprehensive Mental Health and Additions Strategy* (2011), available at www.health.gov.on.ca.

[13] See Policy/Program Memorandum No. 128, "The Provincial Code of Conduct and School Board Codes of Conduct", December 5, 2012.

Board policies should include teaching strategies that support the school-wide bullying prevention policies. These policies should focus on developing skills for healthy relationships by including bullying prevention strategies and highlighting equity and inclusive education principles throughout the curriculum in daily classroom instruction and school activities.

School boards should provide opportunities for all students to participate in equity and inclusive education, bullying prevention, and leadership initiatives within their own school.

As part of the monitoring and evaluation of their policies, school boards must conduct anonymous school climate surveys of students, staff, and parents at least once every two years. These surveys must include questions on bullying/harassment related to sexual orientation, gender identity, and gender expression, as well as questions on sexual harassment.

Boards are required to inform parents that these surveys are voluntary and that they can choose not to have their child participate. Boards shall not collect any name or any identifying number, symbol, or other particular assigned to a person, in accordance with subsection 169.1(2.2) of the Education Act. Boards should consult with their legal counsel and freedom of information coordinators to ensure that they are fulfilling their legal responsibilities.

4. Programs, Intervention, and Other Supports

Boards are required under subsection 170(1)7.2 of the Education Act to provide programs, interventions, and other supports for students who have been bullied, students who have witnessed incidents of bullying, and students who have engaged in bullying. The programs, intervention, and other supports may be provided by social workers, psychologists, or other professionals who have training in similar fields, as determined by the board.

Board policies must include a comprehensive strategy to address incidents of bullying, including appropriate and timely responses. Programs, intervention, and other supports should be curriculum-linked and consistent with a progressive discipline approach. Supports may be provided by school-based employees of the board, through board programs and resource personnel, or through community-based service-providers,[14] including social service agencies and mental health agencies. A range of supports should be available – from early prevention to more intensive interventions in cases of persistent bullying, with possible referral to community-based service providers. Ongoing intervention and support may be necessary to sustain and promote positive student behaviour. For a student with special education needs, interventions, supports, and consequences must be consistent with the student's strengths and needs, as well as with the program goals and learning expectations documented in his or her Individual Education Plan (IEP).

Employees of the board must take seriously all allegations of bullying behaviour and act in a timely, sensitive, and supportive manner when responding to students who disclose or report bullying incidents.

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[14] Community-based service providers include a range of community service agencies, mental health agencies/services, local organizations, and community programs.

Board employees who work directly with students – including administrators, teachers, and other school staff – must respond to any student behaviour that is likely to have a negative impact on the school climate. Such behaviour includes all inappropriate and disrespectful behaviour at any time at school and at any school-related event if, in the employee's opinion, it is safe to respond to it, in accordance with subsection 300.4 of Part XIII of the Education Act and Ontario Regulation 472/07. Such inappropriate behaviour may include bullying.

Boards must also put in place procedures to allow students to report bullying incidents safely and in a way that will minimize the possibility of reprisal. These procedures should define the responsibilities and roles of the principal, teachers, other school staff, parents, and students.

Boards must outline in their policies the procedures regarding bullying that are in place to support students and their parents. These policies and procedures must outline what schools are required to do to support these students, including the development of specific plans to protect students who have been harmed, and must outline a process for parents to follow if they are not satisfied with the supports that their children receive. In Policy/Program Memorandum No. 145, "Progressive Discipline and Promoting Positive Student Behaviour", the ministry provides further direction to boards regarding supports for students who have been harmed as a result of a serious student incident.[15]

5. Notifying Parents

Section 300.3 of the Education Act specifies when principals are required to notify the parents of students who have been harmed as the result of a serious student incident. Principals shall disclose the following information:

- the nature of the activity that resulted in harm to the student
- the nature of the harm[16] to the student
- the steps taken to protect the student's safety, including the nature of any disciplinary measures taken in response to the activity
- the supports that will be provided for the student in response to the harm that resulted from the activity

This section of the act now also specifies that principals are required to notify the parents of students who have engaged in serious student incidents. Principals shall disclose the following information:

- the nature of the activity that resulted in harm to the other student
- the nature of the harm to the other student
- the nature of any disciplinary measures taken in response to the activity
- the supports that will be provided for the student in response to his or her engagement in the activity

When notifying parents of these incidents, the principal must invite parents to have a discussion with him or her about the supports that will be provided for their child.

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[15] *Serious student incidents* are activities for which suspension or expulsion must be considered, as set out in subsections 306(1) and 310(1) of the Education Act.

[16] *Harm*, as used in this memorandum, means harm that can be experienced in a number of ways, including physical, mental, emotional, and psychological.

Under subsection 300.3(3) of the Education Act, a principal shall not notify a parent of a student if, in the opinion of the principal, doing so would put the student at risk of harm from a parent of the student, such that notification is not in the student's best interest. Under subsection 301(5.5) of the Education Act, when principals have decided not to notify the parents that their child was involved in a serious student incident, as described above, they must, in accordance with Ontario Regulation 472/07, document the rationale for this decision and notify both the teacher who reported the incident and the appropriate supervisory officer of this decision. Principals shall also, if they determine it is appropriate to do so, inform other board employees of this decision. In addition, principals should refer students to board resources or to a community-based service provider that can provide the appropriate type of confidential support when his or her parents are not called (e.g., counselling; a sexual assault centre; Kids Help Phone; Lesbian, Gay, Bisexual, Transgendered Youth Line[17]).

In circumstances where board employees have reason to believe that a student may be in need of protection, board employees must call a Children's Aid Society according to the requirements of the Child and Family Services Act.[18]

6. Reporting to the Principal

The purpose of reporting serious student incidents is to ensure that the principal is aware of any activities taking place in the school for which suspension or expulsion must be considered and to help ensure a positive school climate.

Section 300.2 of Part XIII of the Education Act states that an employee of the board who becomes aware that a student at a school of the board may have engaged in a serious student incident shall report the matter to the principal as soon as reasonably possible. The employee must consider the safety of others and the urgency of the situation in reporting the incident, but, in any case, must report it to the principal no later than the end of the school day.

In cases where an immediate action is required, a verbal report to the principal may be made. A written report must be made when it is safe to do so.

In certain situations, members of the College of Psychologists of Ontario or the Ontario College of Social Workers and Social Service Workers who are engaged in a clinical relationship with a student shall report incidents of behaviour for which suspension or expulsion must be considered to the principal as soon as it is, in their professional opinion, reasonably possible to do so without having a negative impact on the nature of the clinical relationship, in accordance with section 300.2 of Part XIII of the Education Act. They shall also report, in a manner that is consistent with the code of ethics and the standards of practice of their respective professions, matters that could result in the student's doing physical, emotional, or psychological harm to him- or herself or to others.

All employee reports made to the principal, including those made verbally, must be confirmed in writing, using the "Safe Schools Incident Reporting Form – Part I". This form may be modified by

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17. In this memorandum, references to lesbian, gay, bisexual, and transgendered persons should be understood to include persons who identify themselves as queer, transsexual, two-spirited, intersexed, or questioning.

18. See Policy/Program Memorandum No. 9, "Reporting of Children in Need of Protection", August 10, 2001.

boards, but must retain the elements set out in the Appendix to this memorandum. Where the principal is the sole witness to an incident, the principal is similarly required to use the reporting form to confirm in writing what he or she witnessed. Boards must specify on this form any other activities for which a student may be suspended or expelled, according to board policy. Each report should be assigned a number for filing and retrieval purposes.

Boards are expected to provide information to board employees on completing the safe schools incident reporting forms. For example, employees who are reporting an incident must submit the "Safe Schools Incident Reporting Form – Part I" to the principal in a timely manner.

The principal must investigate all reports submitted by board employees, as outlined in subsection 300.2(3) of the Education Act. Once the investigation is complete, the principal must communicate the results of the investigation to the teacher who made the report. If a board employee who is not a teacher made the report, the principal will communicate the results of the investigation to that employee if the principal considers it appropriate. Communication between the principal and school staff about the investigation and the results of the investigation is a shared responsibility, and is an important factor in meeting student needs and fostering collaboration in the school.

The principal must not disclose more personal information than is reasonably necessary for the purpose of communicating the results of the investigation, in accordance with subsection 300.2(5) of the Education Act. This information must be provided in a timely manner so that school staff can work with the principal to best meet the needs of students, support a positive school climate, and help prevent future inappropriate behaviour from taking place.

In all cases, the principal must provide the employee who reported the incident with written acknowledgement, using the "Safe Schools Incident Reporting Form – Part II". This form may be modified by boards, but must retain the elements set out in the Appendix to this memorandum, and must specify whether the investigation has been completed or is still in progress. If no further action is taken by the principal, the principal is not required to retain the report. Information that could identify the student(s) involved must not be part of the acknowledgement.

In addition to employees of the board, third parties, specified below, who are under contract or agreement with the board are required to report such incidents in writing to the principal of the school. The requirements for boards are as follows:

- Boards are required to include reporting requirements for school bus drivers in their transportation policies and contracts.
- Boards are required to include reporting requirements for employees and contractors as a condition in their agreements with third-party operators who are providing before- and/or after-school programs for Full-Day Kindergarten on the school site in accordance with Ontario Regulation 221/11, "Extended Day and Third Party Programs", made under the Education Act.

Early childhood educators in board-operated extended-day programs, as well as employees and contractors of third-party operators as described above, must report to the principal as soon as reasonably possible. Boards are expected to provide information to these third-party operators on how to complete the "Safe Schools Incident Reporting Form – Part I".

Boards may also put policies in place to require other individuals who are not employees of the board and who come into direct contact with students on a regular basis, as outlined in subsection 302(3.1) of the Education Act, to report such matters to the principal (e.g., outdoor education instructors).

If the principal has decided that action must be taken as a result of an incident of bullying, he or she will file a copy of the reporting form with documentation indicating the action taken in the OSR[19] of the student whose behaviour was inappropriate. The names of all other students that appear on the form – both students who have engaged in bullying and students who have been harmed – must be removed from the form before it is filed in the student's OSR.

Where the principal has taken action in the case of more than one student, a copy of the reporting form with documentation indicating the action taken must be filed in the OSR of each student whose behaviour was inappropriate. The names of all other students that appear on the form – both students who have engaged in bullying and students who have been harmed – must be removed from the form before it is filed.

In the case of the student who has been harmed, no information about the incident must be placed in his or her OSR, unless that student's parents expressly request that it be placed in the OSR.

In situations where the student who has been bullied has also engaged in a serious student incident, information regarding the incident and the action taken will be placed in the student's OSR.

The form and documentation must be kept in the OSR for a minimum of one year.

7. Professional Development Strategies for Administrators, Teachers, and Other School Staff

Boards are required to establish and provide annual professional development programs to educate teachers and other school staff about bullying prevention and strategies for promoting a positive school climate, in accordance with subsection 170(1) of the Education Act.

Boards must put in place curriculum-linked training strategies on bullying prevention and intervention to give all administrators, teachers, and other school staff the resources and support they need. The strategies should include ways of responding to all forms of bullying. Boards may also make resources available to other adults who have significant contact with students (e.g., school bus operators/drivers, volunteers). Boards should also recognize the ongoing need to support training for new teachers.

8. Communications and Outreach Strategies

To support a whole-school approach, boards must actively communicate their policies and guidelines on bullying prevention and intervention to principals, teachers, and other school staff; students; parents; their Special Education Advisory Committee; school councils; and school bus operators and drivers. Boards should also provide this information to their Parent Involvement Committees and other relevant groups.

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[19] The "Safe Schools Incident Reporting Form – Part I" must be filed in the OSR documentation file.

It is important that the roles and responsibilities of all members of the school community (e.g., principals, teachers, other school staff, students, parents) be clearly articulated and understood.

Parents play a key role in the development of safe, inclusive, and accepting schools. When parents are engaged and involved in their children's education, everyone benefits, and our schools become increasingly rich and positive places to teach, learn, and grow.

Boards should make every effort to provide access to appropriate board resources/publications for parents (taking into account linguistic, ethnocultural, and accessibility considerations) and to expand opportunities to support teachers in addressing bullying issues.

9. Monitoring and Review

Boards should monitor, review, and evaluate the effectiveness of board policies and guidelines, using indicators established in consultation with teachers, other school staff, students, parents, school councils, their Special Education Advisory Committee, and community-based service providers. Boards may also consult with their Parent Involvement Committees. Boards will also conduct a cyclical review of their policies and guidelines in a timely manner.

SAFE AND ACCEPTING SCHOOLS TEAMS

Each school must have in place a safe and accepting schools team responsible for fostering a safe, inclusive, and accepting school climate that should include at least one student and must include at least one parent, one teacher, one non-teaching staff member, one community partner, and the principal. An existing school committee (e.g., the healthy schools committee) can assume this role. The chair of this team must be a staff member.

APPENDIX: SAFE SCHOOLS INCIDENT REPORTING FORMS

Report No: ____________	*CONFIDENTIAL* **SAFE SCHOOLS INCIDENT REPORTING FORM – PART I**
Name of School	
1. Name of Student(s) Involved (if known)	____
2. Location of Incident (check one)	☐ At a location in the school or on school property (please specify) ____________________ ☐ At a school-related activity (please specify) ____________________ ☐ On a school bus (please specify route number) ____________________ ☐ Other (please specify) ____________________
3. Time of Incident	Date: ____________ Time: ____________
4. Type of Incident (check all that apply)	**Activities for which suspension must be considered under subsection 306(1) of the Education Act** ☐ Uttering a threat to inflict serious bodily harm on another person ☐ Possessing alcohol or illegal drugs ☐ Being under the influence of alcohol ☐ Swearing at a teacher or at another person in a position of authority ☐ Committing an act of vandalism that causes extensive damage to school property at the student's school or to property located on the premises of the student's school ☐ Bullying ☐ Any other activity for which a student may be suspended under board policy [*Note: Boards must specify on this form any other activities for which the principal may suspend according to board policy.*] **Activities for which expulsion must be considered under subsection 310(1) of the Education Act** ☐ Possessing a weapon, including possessing a firearm ☐ Using a weapon to cause or to threaten bodily harm to another person ☐ Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner ☐ Committing sexual assault ☐ Trafficking in weapons or in illegal drugs ☐ Committing robbery ☐ Bullying (if the student has been previously suspended for engaging in bullying and the student's continuing presence in the school creates an unacceptable risk to the safety of another person) ☐ Any activity listed in subsection 306(1) that is motivated by bias, prejudice, or hate ☐ Giving alcohol to a minor ☐ Any other activity for which a student may be expelled under board policy [*Note: Boards must specify on this form any other activities for which the board may expel according to board policy.*]

5. Report Submitted By: Name:____
Role in School Community: ____
Signature:________________________ Date: ____________
Contact Information: Location: ________________________ Telephone: ____________

6. FOR PRINCIPAL'S USE ONLY: Check if incident was a **violent incident**, as defined in Policy/Program Memorandum No. 120.
☐ **Violent incident**

Information is collected is under the authority Part XIII of the Education Act in accordance with the Municipal Freedom of Information and Protection of Privacy Act, and shall be used for the purpose of student discipline. Questions about information collected on this form shall be directed to the school principal.

SAFE SCHOOLS INCIDENT REPORTING FORM – PART II

ACKNOWLEDGEMENT OF RECEIPT OF REPORT

Report No: ____________________

Report Submitted By: Name: ________________________________ Date: ____________________

☐ **Investigation completed**

- ☐ Principal to communicate results to the teacher at a mutually convenient time*
- ☐ Principal to communicate results to other board employee at a mutually convenient time, as appropriate*

☐ **Investigation in progress**

- ☐ Once investigation is completed, principal to communicate results to the teacher at a mutually convenient time*
- ☐ Once investigation is completed, principal to communicate results to other board employee at a mutually convenient time, as appropriate*

Name of Principal: ________________________________

Signature: ________________________________ Date: ____________________

Note: Only Part II is to be given to the person who submitted the report.

* In accordance with s.300.2 of the Education Act, after investigating a matter reported by an employee, the principal shall communicate the results of the investigation to the teacher or other board employee who is not a teacher, as appropriate. In accordance with the Municipal Freedom of Information and Protection and Privacy Act and the Education Act, when reporting the results of the investigation, the principal shall not disclose more personal information than is reasonably necessary for the purpose of communicating the results of the investigation.

Ontario Ministry of Education

Policy/Program Memorandum No. 145

Date of Issue: October 4, 2007 **Effective:** Until revoked or modified

Subject: PROGRESSIVE DISCIPLINE AND PROMOTING POSITIVE STUDENT BEHAVIOUR

Application:
Directors of Education
Superintendents of School Authorities
Principals of Elementary Schools
Principals of Secondary Schools
Principals of Provincial Schools
Special Education Advisory Committees

References:
The Education Act, as amended by the Education Amendment Act (Progressive Discipline and School Safety), 2007.
Ontario Regulation 472/07, "Suspension and Expulsion of Pupils".

INTRODUCTION

The Ministry of Education is committed to building and sustaining a positive school climate for all students[1] in order to support their education so that all students reach their full potential. School boards[2] are required to develop and implement policies on progressive discipline and are required to have their policies in place by February 1, 2008. Boards that already have a progressive discipline policy in place must review their existing policy to ensure that it meets all of the requirements set out in this memorandum.

The purpose of this memorandum is to provide direction to boards on the development and implementation of their policies on progressive discipline.

BACKGROUND

On June 4, 2007, the Education Amendment Act (Progressive Discipline and School Safety), 2007, was passed, amending Part XIII of the Education Act dealing with behaviour, discipline, and safety. Changes to the safe schools provisions of the Act more effectively combine discipline with opportunities for students to continue their education. These amendments come into force on February 1, 2008. For excerpts from the relevant sections of the Education Act and Ontario Regulation 472/07, see the Appendix to this memorandum.

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[1] The term *student*, as used in this memorandum, refers to *pupil,* as used in the Education Act.

[2] In this memorandum, *school board(s)* and *board(s)* refer to district school boards and school authorities.

The changes to the safe schools provisions of the Act provide the opportunity for students who have been expelled or those on a long-term suspension to continue their education by requiring school boards to provide programs for these students. The ministry provides direction to boards to support this legislative requirement in Policy/Program Memoranda Nos. 141 and 142.[3]

The Act requires that mitigating and other factors be taken into account when considering whether to suspend or expel a student. These factors are described in Ontario Regulation 472/07, "Suspension and Expulsion of Pupils" (for relevant excerpts, see the Appendix to this memorandum). In the case of suspension pending expulsion, mitigating and other factors are only to be taken into account in determining the duration of the suspension.

As part of the legislative changes, bullying has been added to the list of infractions for which suspension must be considered. The policy memorandum on bullying prevention and intervention[4] requires every school board and school in Ontario to develop and implement a policy on bullying prevention and intervention. The memorandum provides direction to boards on the development and implementation of board policies on bullying prevention and intervention. It emphasizes the importance of addressing bullying, which can have a significant impact on student safety, learning, and school climate.

Amendments to the safe schools provisions of the Act support the ministry's Safe Schools Strategy, which places an emphasis on prevention strategies that promote and support positive student behaviour and early and ongoing intervention.

PROMOTING AND SUPPORTING POSITIVE STUDENT BEHAVIOUR

The ministry acknowledges the importance of actively promoting and supporting appropriate and positive student behaviours that contribute to and sustain a safe learning and teaching environment in which every student can reach his or her full potential. Linkages to ministry initiatives such as character development and the Student Success Strategy are key in promoting and supporting appropriate and positive student behaviours.

Prevention

Prevention is the establishment and use of programs such as bullying prevention and citizenship development, as well as other positive activities designed to promote the building of healthy relationships and appropriate behaviours.[5]

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[3] Policy/Program Memorandum No. 141, "School Board Programs for Students on Long-Term Suspension", August 23, 2007, and Policy/Program Memorandum No. 142, "School Board Programs for Expelled Students", August 23, 2007.

[4] Policy/Program Memorandum No. 144, "Bullying Prevention and Intervention", October 4, 2007.

[5] *Safe Schools Policy and Practice: An Agenda for Action,* Report of the Safe Schools Action Team (Toronto: June 2006), p. 24.

Generally, prevention measures and initiatives include the whole school and all aspects of school life. Schools that have prevention and intervention strategies foster a positive school climate that supports academic achievement for all students. Boards and schools should focus on prevention and early intervention as the key to maintaining a positive school environment in which students can learn.

A positive "school climate is a crucial component of prevention; it may be defined as the sum total of all of the personal relationships within a school. When these relationships are founded in mutual acceptance and inclusion, and modelled by all, a culture of respect becomes the norm."[6] A positive climate exists when all members of the school community feel safe, comfortable, and accepted.

Programs and activities that focus on the building of healthy relationships, character development, and peer relations provide the foundation for an effective continuum of strategies within a school and school-related activities. These supportive strategies and empowerment programs are the basis for creating a positive school climate.

In addition to teachers and administrators, other staff such as educational assistants, Native education counsellors, social workers, child and youth workers, psychologists, and attendance counsellors all play an important role in supporting students and contributing to a positive learning and teaching environment. A positive school climate also includes the participation of the school community, including parents,[7] as well as the broader community, which can have a major impact on the success of all students in the school.

Progressive Discipline

Progressive discipline is a whole-school approach that utilizes a continuum of interventions, supports, and consequences to address inappropriate student behaviour and to build upon strategies that promote positive behaviours described above. When inappropriate behaviour occurs, disciplinary measures should be applied within a framework that shifts the focus from one that is solely punitive to one that is both corrective and supportive. Schools should utilize a range of interventions, supports, and consequences that include learning opportunities for reinforcing positive behaviour while helping students to make good choices.

In some circumstances, short-term suspension may be a useful tool. In the case of a serious incident, long-term suspension or expulsion, which is further along the continuum of progressive discipline, may be the response that is required.

For students with special education needs, interventions, supports, and consequences must be consistent with the student's strengths, needs, goals, and expectations contained in his or her Individual Education Plan (IEP).

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[6] *Safe Schools Policy and Practice: An Agenda for Action,* Report of the Safe Schools Action Team (Toronto: June 2006), p. 6.

[7] In this memorandum, *parent(s)* refers to parent(s) and guardian(s). Parental involvement applies, except in cases where the student is eighteen years of age or over or is sixteen or seventeen years of age and has "withdrawn from parental control".

Schools are expected to actively engage parents in the progressive discipline approach.

A progressive discipline approach includes the use of early and ongoing intervention strategies and strategies to address inappropriate behaviour, which are described below.

Early and Ongoing Intervention Strategies

Early and ongoing intervention strategies will help prevent unsafe or inappropriate behaviours in a school and in school-related activities. Intervention strategies should provide students with appropriate supports that address inappropriate behaviour and that would result in an improved school climate. For example, early interventions may include, but are not limited to, contact with parents, detentions, verbal reminders, review of expectations, or a written work assignment with a learning component.

Ongoing interventions may be necessary to sustain and promote positive student behaviour and/or address underlying causes of inappropriate behaviour. For example, ongoing interventions may include, but are not limited to, meetings with parents, volunteer service to the school community, conflict mediation, peer mentoring, and/or a referral to counselling.

Strategies for Addressing Inappropriate Behaviour

When inappropriate behaviour occurs, schools should utilize a range of interventions, supports, and consequences that are developmentally appropriate, and should include opportunities for students to focus on improving behaviour. Consequences for inappropriate behaviour may include, but are not limited to, meeting with the parent(s), student, and principal;[8] referral to a community agency[9] for anger management or substance abuse; and detentions or loss of privileges.

In considering the most appropriate response to address inappropriate behaviour, the following should be taken into consideration:
- the particular student and circumstances (e.g., mitigating or other factors)
- the nature and severity of the behaviour
- the impact on the school climate (i.e., the relationships within the school community)

SCHOOL BOARD POLICIES ON PROGRESSIVE DISCIPLINE

Policy Development

In developing their policies on progressive discipline, boards have the flexibility to take into account local needs and circumstances, such as geographical considerations, demographics, cultural needs, and availability of board and community supports and resources.

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[8] In this memorandum, *principal* refers to the principal or to a person designated by the principal or by the board.

[9] Community agencies include a range of community service agencies, local organizations, and programs.

Boards should draw upon evidence-based practices that promote positive student behaviour. In developing their policies, boards must consult with school councils. They should also consult with parents, principals, teachers, students, their Parent Involvement Committee, their Special Education Advisory Committee, community partners, social service agencies, members of Aboriginal communities (e.g., Elders), and those groups that are traditionally not consulted.

Boards must take into account the needs of individual students by showing sensitivity to diversity, to cultural needs, and to special education needs in their policies, in keeping with the relevant ministry policies on antiracism and ethnocultural equity and antidiscrimination education and with the principles in the ministry document *Ontario First Nation, Métis, and Inuit Education Policy Framework, 2007*. Where possible, the policies should incorporate other relevant board-wide policies, strategies, and initiatives, such as those related to Student Success and character development.

Boards are required to adhere to the Municipal Freedom of Information and Protection of Privacy Act, the Ontario Human Rights Code, and the Education Act and regulations made under the Act in the development and implementation of their policies. Board policies must respect all applicable collective agreements. Boards should consult with their legal counsel and freedom of information coordinators to ensure that they are fulfilling their legal responsibilities.

Policy Components and Implementation Strategies

1. Policy Statement

Board policies on progressive discipline must include the following statements:
- The goal of the policy is to support a safe learning and teaching environment in which every student can reach his or her full potential.
- Appropriate action must consistently be taken to address behaviours that are contrary to provincial and board codes of conduct.
- Progressive discipline is an approach that makes use of a continuum of interventions, supports, and consequences, building upon strategies that promote positive behaviours.
- The range of interventions, supports, and consequences used by the board and all schools must be clear and developmentally appropriate, and must include learning opportunities for students in order to reinforce positive behaviours and help students make good choices.
- For students with special education needs, interventions, supports, and consequences must be consistent with the expectations in the student's IEP.
- The board, and school administrators, must consider all mitigating and other factors, as required by the Education Act and as set out in Ontario Regulation 472/07.

2. Progressive Discipline Implementation Strategy

In developing their progressive discipline policies, boards must incorporate the following procedures as part of their implementation strategy. Boards must:

- require schools to develop and implement a school-wide progressive discipline policy that is consistent with the board's policy;
- outline a range of interventions, supports, and consequences, including circumstances in which short-term suspension, long-term suspension, or expulsion may be the response required;
- require schools to use the most appropriate response, as outlined in the board's or school's progressive discipline policy, to respond to a student's behaviour. For students with special education needs, interventions, consequences, and supports must be consistent with the expectations in the student's IEP;
- develop a process for building on existing partnerships and for developing new partnerships with community agencies, including local police services, to support students and their families;
- provide for ongoing dialogue with parents on student achievement and behaviour;
- provide opportunities for students to improve the school climate through assuming leadership roles (e.g., peer mediation, mentorship);
- review the board's code of conduct to ensure that it is aligned with a progressive discipline approach.

3. Building Partnerships

Policies and programs that promote a positive school environment and support the progressive discipline continuum should be developed and established by building positive relationships that engage the whole school community and its partners. Linkages and coordination among boards, local schools, and community agencies should be established. Through outreach, partnerships already in place may be enhanced and new partnerships with community agencies and members of the community (e.g., Aboriginal Elders) may also be created.

Community agencies are resources that boards can use to deliver prevention or intervention programs (e.g., early and ongoing intervention strategies). Protocols between boards and community agencies are effective ways to establish linkages and to formalize the relationship between them. These protocols facilitate the delivery of prevention and intervention programs, the use of referral processes, and the provision of services and support for students and their parents and families. Where such protocols already exist, they should be reviewed, and where they do not, protocols should be developed to increase the board's capacity to respond to the needs of students. These partnerships must respect collective agreements.

Boards should, wherever possible, collaborate to provide coordinated prevention and intervention programs and services and, where possible, share effective practices.

4. Training Strategy for Administrators, Teachers, and Other School Staff

Boards must put in place a training strategy for all administrators and teachers, including educational assistants, on the board's policy on progressive discipline.

A board should make sure that others are aware of the board's policy on progressive discipline – for example, school secretaries and custodians, parents, volunteers, community agencies, and school bus operators/drivers.

The training must address the fact that building a supportive learning environment through appropriate interactions between all members of the school community is the responsibility of all staff.

Boards should support ongoing training for teachers and administrators through such opportunities as new-teacher induction programs and e-learning to create and sustain a safe teaching and learning environment.

5. Communication Strategy

For a progressive discipline approach to be effective, it is important that all members of the school community, including teachers, students, and parents, understand and support the progressive discipline approach. Boards must actively communicate policies and procedures to all students, parents, staff members, and school council members. Boards should share this information, as appropriate, with parents whose first language is a language other than English or French.

6. Monitoring and Review

Boards must establish performance indicators for monitoring, reviewing, and evaluating the effectiveness of board policies and procedures. These indicators should be developed in consultation with teachers, students, parents, school councils, their Special Education Advisory Committee, their Parent Involvement Committee, and service providers in the community. Boards will also conduct a cyclical review of their policies and procedures in a timely manner. This review may include an analysis of school climate by their schools on a regular cycle, as determined by the board.

APPENDIX: EXCERPTS FROM THE LEGISLATION

Education Act, as amended by the Education Amendment Act (Progressive Discipline and School Safety), 2007

Relevant excerpts from sections 301, 306, and 310 of the Education Act, as amended by the Education Amendment Act (Progressive Discipline and School Safety), 2007, are provided below for ease of reference.

Policies and guidelines governing discipline

301. (6) The Minister may establish policies and guidelines with respect to disciplining pupils, specifying, for example, the circumstances in which a pupil is subject to discipline and the forms and the extent of discipline that may be imposed in particular circumstances.

Duty of boards

(9) The Minister may require boards to comply with policies and guidelines established under this section.

SUSPENSION

Activities leading to possible suspension

306. (1) A principal shall consider whether to suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate:

1. Uttering a threat to inflict serious bodily harm on another person.
2. Possessing alcohol or illegal drugs.
3. Being under the influence of alcohol.
4. Swearing at a teacher or at another person in a position of authority.
5. Committing an act of vandalism that causes extensive damage to school property at the pupil's school or to property located on the premises of the pupil's school.
6. Bullying.
7. Any other activity that is an activity for which a principal may suspend a pupil under a policy of the board.

Factors principal must consider

(2) In considering whether to suspend a pupil for engaging in an activity described in subsection (1), a principal shall take into account any mitigating or other factors prescribed by the regulations.

SUSPENSION, INVESTIGATION AND POSSIBLE EXPULSION

Activities leading to suspension

310. (1) A principal shall suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate:

1. Possessing a weapon, including possessing a firearm.
2. Using a weapon to cause or to threaten bodily harm to another person.
3. Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner.
4. Committing sexual assault.
5. Trafficking in weapons or in illegal drugs.
6. Committing robbery.
7. Giving alcohol to a minor.
8. Any other activity that, under a policy of a board, is an activity for which a principal must suspend a pupil and, therefore in accordance with this Part, conduct an investigation to determine whether to recommend to the board that the pupil be expelled.

Same

(2) A pupil who is suspended under this section is suspended from his or her school and from engaging in all school-related activities.

Duration of suspension

(3) A principal may suspend a pupil under this section for up to 20 school days and, in considering how long the suspension should be, the principal shall take into account any mitigating or other factors prescribed by the regulations.

Assignment to program, etc.

(4) When a principal suspends a pupil under this section, he or she shall assign the pupil to a program for suspended pupils in accordance with any policies or guidelines issued by the Minister.

Ontario Regulation 472/07, "Suspension and Expulsion of Pupils"

Relevant excerpts from Ontario Regulation 472/07, made under the Education Act, are provided below for ease of reference.

Mitigating factors

2. For the purposes of subsections 306 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7) (b) and 311.4 (2) (b) of the Act, the following mitigating factors shall be taken into account:

1. The pupil does not have the ability to control his or her behaviour.
2. The pupil does not have the ability to understand the foreseeable consequences of his or her behaviour.
3. The pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person.

Other factors

3. For the purposes of subsections 306 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7) (b) and 311.4 (2) (b) of the Act, the following other factors shall be taken into account if they would mitigate the seriousness of the activity for which the pupil may be or is being suspended or expelled:

1. The pupil's history.
2. Whether a progressive discipline approach has been used with the pupil.
3. Whether the activity for which the pupil may be or is being suspended or expelled was related to any harassment of the pupil because of his or her race, ethnic origin, religion, disability, gender or sexual orientation or to any other harassment.
4. How the suspension or expulsion would affect the pupil's ongoing education.
5. The age of the pupil.
6. In the case of a pupil for whom an individual education plan has been developed,
    i. whether the behaviour was a manifestation of a disability identified in the pupil's individual education plan,
    ii. whether appropriate individualized accommodation has been provided, and
    iii. whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.

Ontario

Ministry of Education

Policy/Program Memorandum No. 146

Date of Issue: November 19, 2007 **Effective:** Until revoked or modified

Subject: REVISIONS TO CREDIT REQUIREMENTS TO SUPPORT STUDENT SUCCESS AND LEARNING TO 18

Application:
Directors of Education
Secretary-Treasurers and Supervisory Officers of School Authorities
Program Superintendents
Principals of Elementary Schools
Principals of Secondary Schools
Principals of Provincial and Demonstration Schools
Principals of Inspected Private Schools
Principal of the Independent Learning Centre

References:
Ontario Secondary Schools, Grades 9 to 12: Program and Diploma Requirements, 1999, sections 3 and 7 and Appendix 5.
The Ontario Curriculum, Grades 9 and 10: Health and Physical Education, 1999 and *The Ontario Curriculum, Grades 11 and 12: Health and Physical Education, 2000.*

INTRODUCTION

The purpose of this memorandum is to provide direction to school boards[1] and schools regarding changes to *Ontario Secondary Schools, Grades 9 to 12: Program and Diploma Requirements, 1999* (OSS) and to the curriculum policy documents for health and physical education for Grades 9 to 12. These revisions to secondary school program and curriculum requirements increase the flexibility and options for students, so that they can create personalized pathways based on their interests and needs within graduation requirements that continue to maintain high expectations and standards for all students.

The requirements outlined in this memorandum will apply in the 2007–08 school year and in subsequent years.

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[1] The terms *school board* and *board* are used in this document to refer to district school boards and to those school authorities that offer secondary school courses.

REVISIONS TO OSS REQUIREMENTS[2]

Compulsory Credit Requirements

Section 3.1.1 ("Compulsory Credits (total of 18)") and Appendix 5 ("Compulsory Credits") have been revised to include other courses that may be used to meet the "additional compulsory credit requirements" for the Ontario Secondary School Diploma. These revisions are described separately below for English-language and French-language schools.

English-Language Schools

Group 1. The term "a third language" no longer applies. Instead, the additional compulsory credit requirement for group 1 may *also* be met with one credit earned through successful completion of one of the following courses:
- any course in French as a second language in *The Ontario Curriculum, Grades 9 and 10: French As a Second Language – Core, Extended, and Immersion French, 1999* or in *The Ontario Curriculum, Grades 11 and 12: French As a Second Language – Core, Extended, and Immersion French, 2000*
- any course in a Native language in *The Ontario Curriculum, Grades 9 and 10: Native Languages, 1999* or in *The Ontario Curriculum, Grades 11 and 12: Native Languages, 2000*
- any course in a classical or an international language in *The Ontario Curriculum, Grades 9 and 10: Classical and International Languages, 1999* or in *The Ontario Curriculum, Grades 11 and 12: Classical Studies and International Languages, 2000*

French-Language Schools

Group 1. "A third language" has been removed from group 1 and has been replaced by "a classical or an international language", which has been moved to group 3. In addition to the remaining choices in group 1, the additional compulsory credit requirement for group 1 may be met with one credit earned through successful completion of one of the following courses:
- any course in a Native language in *Le curriculum de l'Ontario, 9^e^ et 10^e^ année – Langues autochtones, 1999* or in *Le curriculum de l'Ontario, 11^e^ et 12^e^ année – Langues autochtones, 2000*

Group 2. The additional compulsory credit requirement for group 2 may *also* be met with one credit earned through successful completion of one of the following courses:
- any course in English in *Le curriculum de l'Ontario, 9^e^ et 10^e^ année – English, 2007* or in *Le curriculum de l'Ontario, 11^e^ et 12^e^ année – English, 2007*

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[2] For ease of reference, an outline of the diploma requirements that reflects the revisions given in this memorandum can be found in the chart called "What do you need to graduate?". The chart accompanies this memorandum and is also available on the ministry's website, at http://www.edu.gov.on.ca.

Group 3. The additional compulsory credit requirement for group 3 may *also* be met with one credit earned through successful completion of one of the following courses:

- any course in English in *Le curriculum de l'Ontario, 9e et 10e année – English, 2007* or in *Le curriculum de l'Ontario, 11e et 12e année – English, 2007*
- any course in a classical or an international language in *Le curriculum de l'Ontario, 9e et 10e année – Langues classiques et langues internationales, 1999* or in *Le curriculum de l'Ontario, 11e et 12e année – Études classiques et langues internationales, 2000*

In French-language schools, a maximum of *two* of the three additional compulsory credit requirements for groups 1, 2, and 3 may be met with credits in English, one of which may be earned for group 1 and the second for *either* group 2 *or* group 3. Through this revision, the maximum number of credits in English that a student in a French-language school may count towards the 18 compulsory credits has been raised from two to three.

Credits Earned in Language-Support Programs

The revisions to section 7 are described separately below for English-language and French-language schools.

English-Language Schools

Section 7.3.1.1 ("Support Programs in the Language of Instruction") has been revised. Students may continue to count a maximum of three credits in English as a second language (ESL) or English literacy development (ELD) towards the four compulsory credits in English, but must now earn the fourth compulsory credit in English at the *Grade 12* level instead of having the choice of earning it at either the Grade 11 or the Grade 12 level. (Students graduating in the 2007–08 school year are exempt from this requirement.) The courses that meet the compulsory credit requirement in Grade 12 are ENG4U, ENG4C, and ENG4E.

This revision aligns the policy for English-language schools with the compulsory credit requirements listed in section 3.1.1 of OSS, the policy for French-language schools, and the new policy for English language learners (see *English Language Learners – ESL and ELD Programs and Services: Policies and Procedures for Ontario Elementary and Secondary Schools, Kindergarten to Grade 12, 2007*).

French-Language Schools

As stated in section 7.3.2.1 ("English et anglais pour débutants"), a student may count one credit in anglais pour débutants as the compulsory credit in English. The revised requirement now allows a student to count a maximum of two further credits in anglais pour débutants as additional compulsory credits in English in group 1 and *either* in group 2 *or* in group 3.

REVISIONS TO CREDIT REQUIREMENTS IN HEALTH AND PHYSICAL EDUCATION

Current ministry policy allows schools to offer more than one Healthy Active Living Education course in Grades 10, 11, and 12, but a student may take only one of those courses in each grade for credit. The revised policy gives students the flexibility to take more than one Healthy Active Living Education course for credit in each of Grades 10, 11, and 12.

In addition, schools may now offer more than one Grade 9 Healthy Active Living Education course, and a student may take one or more of those courses for credit. The groupings for Grade 9 are the same as those listed for Grade 10 in the curriculum policy document for Grades 9 and 10. The course codes for the Grade 9 courses are as follows:

- Personal and Fitness Activities – PAF1O
- Large-Group Activities – PAL1O
- Individual and Small-Group Activities – PAI1O
- Aquatics – PAQ1O
- Rhythm and Movement – PAR1O
- Outdoor Activities – PAD1O

Ontario

Ministry of Education

Policy/Program Memorandum No. 147

Date of Issue: May 21, 2008

Effective: June 30, 2008
Until revoked or modified

Subject: APPLICATIONS FOR LETTERS OF PERMISSION

Application: Directors of Education
Secretary Treasurers and Supervisory Officers of School Authorities

Reference: Ontario Regulation 142/08, "Letters of Permission"

INTRODUCTION

A new regulation on Letters of Permission, made under the Education Act, will come into force on June 30, 2008. This regulation – Ontario Regulation 142/08, "Letters of Permission" – will replace Ontario Regulation 183/97, "Letters of Permission". Ontario Regulation 142/08 includes the revised requirements for school boards[1] regarding applications for Letters of Permission.

The purpose of this memorandum is to provide boards with information on requirements for submitting an application, a description of the application process, and the application form.

LEGISLATIVE AUTHORITY

Section 8 of the Education Act provides that the Minister of Education may grant a Letter of Permission to a school board authorizing the board to employ an individual who is not a member of the Ontario College of Teachers – that is, an individual who is not a teacher – to teach in an elementary or a secondary school for a period not exceeding one year, if the Minister is satisfied that no teacher is available.

The Minister has delegated authority to grant Letters of Permission to the regional managers of the regional offices of the ministry.

Ontario Regulation 142/08 sets out the criteria governing the granting of a Letter of Permission, as well as the application requirements and process. The regulation can be found on the Ontario government website, at www.e-laws.gov.on.ca.

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[1] In this memorandum, *school board(s)* and *board(s)* refer to district school boards and school authorities.

REQUIREMENTS FOR SCHOOL BOARDS

School boards must make every effort to hire individuals who are members of the Ontario College of Teachers for board teaching positions. Such efforts include reviewing the board list of occasional teachers for potential candidates for vacant positions.

The following requirements apply to school boards that submit applications for Letters of Permission on or after June 30, 2008.

Application Process for a Letter of Permission

To request a Letter of Permission, the director of education or secretary of the board or the supervisory officer of a school authority must submit a completed Application for a Letter of Permission to the appropriate regional office of the ministry.

A school board cannot submit an application until at least the seventh day after the closing date of a competition for a teaching position.

Every application must include a signed declaration from the director of education or secretary of the board or the supervisory officer of the school authority stating that the requirements of the regulation have been met. This declaration must also include confirmation that no teacher applied for the position for which the Letter of Permission is being requested, or, if a teacher did apply, he or she did not accept the position.

Fulfilment of Advertising Requirements

When applying for a Letter of Permission, school boards are required to demonstrate that they have made every effort to reach the largest possible audience of teachers across the province by publicly advertising the vacant teaching position for which the Letter of Permission is being requested.

On the application form, school boards must declare that they have advertised *at least once* the position for which the Letter of Permission is being requested. This advertisement must have been made public in *one* of the following ways:

- The advertisement must have been published in a daily newspaper that has provincial circulation in Ontario (e.g., *The Globe and Mail*, *The National Post*, *Le Droit*) for at least three days, and at least one of those days must have been "within the five days before the closing date of the competition for the position".
- The advertisement must have been published on a publicly accessible website that is approved by the Minister (that is, www.educationcanada.com, www.applytoeducation.com, www.jobsineducation.com, or www.workopolis.com) for at least ten days, and it must not have been removed before the closing date of the competition for the position.

School boards must declare that every day that the advertisement was publicly available was "within the 30 days before the closing date of the competition for the position". The advertisement must also have included the following information:

- the closing date of the competition for the position
- details of the position, including the division and the grade to be taught
- the course title and course code for secondary school credit courses
- the duration of employment

In addition, school boards must be able to provide evidence that they have complied with this requirement, if asked to do so by the ministry.

Background Checks

School boards are required to confirm that they have made every effort to ensure student safety. On the application form, they must declare that they have conducted a check of the professional references of the individual they propose to hire under the Letter of Permission, and they must declare that they have collected "a personal criminal history" of this individual, as defined in Ontario Regulation 521/01, "Collection of Personal Information", made under the Education Act.

On the application form, school boards also must declare that the individual they propose to hire meets the following requirements:

- He or she is eighteen years of age or older, and holds an Ontario Secondary School Diploma, a Secondary School Graduation Diploma, or a Secondary School Honour Graduation Diploma, or the equivalent.
- He or she is not and has never been a member of the Ontario College of Teachers.
- He or she has given the board a written statement that any teaching certificate or licence granted to him or her by another jurisdiction is not cancelled, revoked, or suspended for any reason other than for failure to pay fees or levies to the governing body.

Starting Date and Duration of Employment

School boards must ensure that the anticipated starting date for employment in the position for which they are requesting a Letter of Permission is no later than thirty days after the closing date of the competition for the position. If a Letter of Permission is granted, it is effective as of the starting date of employment in the position.

School boards must also ensure that the duration of employment in a position for which they are requesting a Letter of Permission does not exceed the limit of one year (that is, twelve months) that is set out in the Education Act. Subject to this limit, the ministry may grant a Letter of Permission for a period that extends beyond the end of a school year if the course taught by the individual hired does not conform to the regular school-year calendar.

BOARD REVIEW OF LETTERS OF PERMISSION

Letters of Permission are granted only when a teacher is not available, so it is important that boards regularly review their usage of Letters of Permission. School board staffing committees (or the equivalent) are requested to review and discuss at least once a year the data on Letters of Permission provided by the ministry.

MINISTRY CONTACT

School board officials who have questions about the revised Letter of Permission application process should direct them to their local ministry regional office.

APPLICATION FOR A LETTER OF PERMISSION

On behalf of ....
(name of school board)

Letter of Permission is requested in order to employ

....
(name in full)

to teach .... in the .... division
(elementary subject[s] or secondary course title and course code)

at .... school,

from .... 20 ...... to .... 20 .....

Closing date of the competition for the position: .... 20 ......

DECLARATION

I hereby declare that the school board has complied with Ontario Regulation 142/08, “Letters of Permission”, made under the Education Act, and that the following requirements have been met:

- ☐ No teacher has applied for the position *or* no teacher who applied for the position has accepted it.
- ☐ The board has publicly advertised at least once the position referred to in this application in *one* of the following ways:
  - ☐ An advertisement was published in a daily newspaper that has provincial circulation in Ontario for at least three days, and at least one of those days was within the five days before the closing date of the competition for the position.
  - ☐ An advertisement was published on a publicly accessible website that is approved by the Minister for at least ten days, and it was not removed before the closing date of the competition for the position.
- ☐ Every day that the advertisement appeared was within the thirty days before the closing date of the competition.
- ☐ The individual named in this application meets the following requirements:
  - ☐ He or she is eighteen years of age or older, and holds an Ontario Secondary School Diploma, a Secondary School Graduation Diploma, or a Secondary School Honour Graduation Diploma, or the equivalent.
  - ☐ He or she is not and has never been a member of the Ontario College of Teachers.
  - ☐ He or she has given the board a written statement that any teaching certificate or licence granted to him or her by another jurisdiction is not cancelled, revoked, or suspended for any reason other than for failure to pay fees or levies to the governing body.
- ☐ The board has conducted the following background checks of the individual named in this application:
  - ☐ The board has collected “a personal criminal history”, as defined in Ontario Regulation 521/01, “Collection of Personal Information,” made under the Education Act.
  - ☐ The board has conducted a check of the professional references of the individual, and is satisfied with the results.

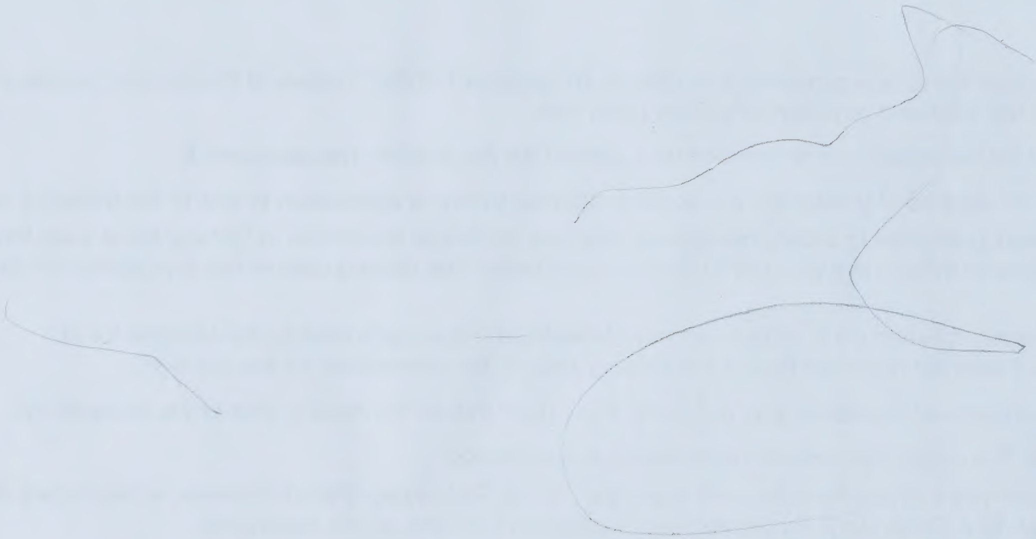
In addition, I declare that the board has reviewed its list of occasional teachers, and has not identified an available or willing candidate for the position.

....
Date Director of education or secretary of the board or supervisory officer of the school authority

FOR MINISTRY USE ONLY

A LETTER OF PERMISSION IS HEREBY GRANTED

Date ....
(name)
Minister of Education or delegate



Ontario

Policy/Program Memorandum No. 148

Date of Issue:	April 22, 2009	**Effective:** Until revoked or modified
Subject:	**POLICIES GOVERNING ADMISSION TO FRENCH-LANGUAGE SCHOOLS IN ONTARIO**	
Application:	Directors of Education Supervisory Officers of School Authorities Superintendents of Education Supervisory Officer of Centre Jules-Léger Principals of Elementary and Secondary Schools	
References:	Section 23 of the Canadian Charter of Rights and Freedoms. Section 293 of the Education Act. French Language Services Act. *Ontario's Aménagement Linguistique Policy for French-Language Education*, 2005.	

Introduction

This memorandum outlines for French-language school boards1 a process for reviewing their policies, guidelines, and administrative directives relating to admission of students to their schools against a suggested model policy. The purposes of this review include ensuring that admission to French-language schools is inclusive and that the admission process is transparent. Boards are asked to have any revised admission policies resulting from this review in place by January 15, 2010.

The purposes of asking school boards to review their admission policies are as follows:

- to ensure that boards include in their policies effective methods for recruiting eligible students
- to make the admission process at French-language schools as streamlined as possible for newcomers who are French-speaking
- to make provisions for possible admission of newcomers who speak neither French nor English to French-language schools

- to standardize the rules governing the operation of admission committees to ensure fairness across the province
- to increase accountability and transparency in the French-language education system to improve public confidence

Legislative and Policy Framework Governing Admission to French-Language Schools

Minority-language educational rights in Canada are embedded in the constitutional framework of section 23 of the Canadian Charter of Rights and Freedoms,which sets out the minimum requirements.

In the Education Act, the Legislative Assembly of Ontario has recognized rights and duties that are set out in section 23 of the Canadian Charter of Rights and Freedoms, as well as the right to a Catholic education that is set out in section 93 of the Constitution Act, 1867. In the French Language Services Act, the Legislative Assembly also declares that the French language is an official language in education, recognizes the contribution of the cultural heritage of the French-speaking population, and states that it wishes to preserve this cultural heritage for future generations.

As well, by enacting section 293 of the Education Act, the Ontario Legislature recognized the importance of extending the right to be admitted to a French-language school to children of parents2 who do not meet the basic criteria set out in section 23 of the charter. Under section 293, a mechanism was established – namely, the admission committee – by which it is possible to admit these children.

In addition to the provisions in the Education Act, the Ministry of Education established the *aménagement linguistique* policy to provide a framework for the development of the French-speaking community in Ontario. This framework is outlined in the ministry document entitled *Ontario's Aménagement Linguistique Policy for French-Language Education, 2005*. The continued flourishing of French-language schools in Ontario depends to a large extent on growth in enrolment. This memorandum also provides boards with direction for implementing the *aménagement linguistique* policy.

See the Appendix to this memorandum for relevant excerpts from the legislation referred to above.

Context

Over the past thirty years, the ethnolinguistic profile of the French-speaking community in Ontario has undergone a major transformation. Demographic trends such as the declining birthrate, the increase in immigration, exogamy, and the increased predominance of English in the global context make it imperative that French-language schools adapt to the needs of today's changing society. French-speaking newcomers, therefore, are a target group for admission to French-language schools, and should have better access to a French-language education.

At present, however, there is little uniformity in the operation of admission committees among school boards and even among schools within the jurisdiction of the same school board. It is therefore important that all school boards establish accountability measures to ensure that the admission process is fair and transparent.

Admission Policy Review Process

Responsibilities of Boards

French-language school boards are asked to:

- review their policies and administrative directives governing admission criteria and the admission process, including those governing admission committee operations, in accordance with the provisions in this memorandum;
- inform school principals of any changes to the admission criteria and process needed to standardize admission committee practices;
- inform staff, parents, students, and the school community of any changes to the admission criteria and process;
- submit their policies, as revised as a result of this review, to the ministry.

In some cases, a board's revised policies might have to be approved by the trustees.

The Ministry of Education will provide the following resources to school boards to support the review process:

- a policy statement and guidelines on admission to help welcome students to Ontario's French-language schools, as well as resources approved by the Permanent French-Language Education Task Force
- the socio-demographic profile of each school community
- training sessions to facilitate the review of the process

Guiding Principles

- The principles of justice, fairness, and transparency should guide the admission policy review. It is also important that school boards do the following:
- honour and reflect the spirit of the laws regarding the mandate of French-language schools in Ontario; that is, the Canadian Charter of Rights and Freedoms, the French Language Services Act, and the Education Act
- maintain the special nature of French-language schools
- demonstrate inclusiveness
- ensure that applications for admission are handled fairly
- demonstrate transparency
- take a future-oriented approach

School boards and school principals should also ensure that parents understand the changes to the admission criteria and process, as set out in the ministry document

entitled *L'admission, l'accueil et l'accompagnement des élèves dans les écoles de langue française de l'Ontario – Énoncé de politique et directives, 2009*.

Consultation

The process by which school boards review admission policies should include provisions for consulting the parties concerned, or their representatives, and/or for ratifying the policies by the parties concerned, or their representatives. These parties include the following:

- parents
- school councils
- school principals or members of the school board's academic and administrative services, as well as leaders in matters of board priorities
- teaching staff
- students
- community partners and organizations, including ethnocultural organizations
- labour organizations

Information In Admission Policies

School board admission policies should provide the information outlined below. (See the Appendix to this memorandum for relevant excerpts from the legislation.)

Admission of Students of School Age

Admission policies should state that the school board is required to accommodate students aged six to twenty-one, that a student is required to attend school until the age of eighteen, and that the parents have a duty to ensure that their child attends school, unless the child is lawfully excused.

School boards may include information on the age at which children are admitted to Junior and Senior Kindergarten in order to promote the early childhood education programs and services offered at French-language schools.

Admission of "French-Language Rights Holders"

Admission policies should set out the minority-language education rights conferred by section 23 of the Canadian Charter of Rights and Freedoms, as well as the definition of a "French-language rights holder" under the Education Act. In general terms, "French-language rights holders" in Ontario are any individuals who meet *one* of the following criteria:

- any Canadian citizens whose first language learned and still understood is French
- any Canadian citizens who have received their primary school instruction in Canada in French

- any Canadian citizens of whom any child has received or is receiving primary or secondary school instruction in French in Canada

For the full legal text, see the excerpts from the Canadian Charter of Rights and Freedoms and the Education Act in the Appendix to this memorandum.

Admission policies should also state that the school board is required to admit and accommodate in its schools the child of a person who is entitled to receive instruction in French, or an adult student who is entitled to such instruction, and who lives within the board's jurisdiction.

School boards may add any other desirable and necessary information to their admission policies, taking into consideration the context and realities of their communities.

Admission by an Admission Committee

Board admission policies should state that the child(ren) of parents who cannot be considered holders of French-language education rights under section 23 of the Canadian Charter of Rights and Freedoms may be admitted by an admission committee composed of the school principal, a teacher, and a supervisory officer, as stipulated in section 293 of the Education Act. The committee's decision to admit the student(s) is made by a majority vote.

The decision to grant or deny admission to a French-language school through an admission committee is of immense importance to a student's development, since this decision will determine whether an individual and his or her siblings and descendants will have right-holder status. It is therefore crucial that the admission policy provide a detailed description of the procedures for submitting applications for admission, for considering the applications, and for communicating the committee's decisions.

Procedures governing the operation of admission committees are described in the next section (see pages 6-7). However, it is recommended that school boards establish procedures for dealing with the following exceptional cases, so that such applications may be processed more quickly:

- *French-speaking parents and adult students who are immigrants and who do not qualify as holders of French-language education rights under the Canadian Charter of Rights and Freedoms*
  There are more and more French-speakers from around the world in French-language schools, and they are contributing to the vitality of those schools. In some cases, these students do not speak English, but are denied access to French-language schools.

- *A child whose grandparents were holders of French-language education rights*
  One of the objectives of section 23 of the Canadian Charter of Rights and Freedomswas to correct past wrongs. Several generations of French-speakers in

Ontario or elsewhere in Canada were unable to access French-language education. In some cases, this lack of access resulted in the assimilation of French-speaking families and the loss of constitutional rights. In this context, school boards could take into consideration the right-holder status of the grandparent(s) of a child for whom an application for admission has been submitted.

- *An immigrant child whose parents' mother tongue is neither French nor English (allophone)*
  Given that French and English have equal status in education in Ontario, school boards could admit the child of a new Canadian whose first language is neither English nor French, and who is required by law to ensure that his or her child attends school, unless the child is lawfully excused.

In order to accelerate the admission processin such cases, the admission committee could, for example, examine the application and supporting documents and decide not to hold an interview with the student and his or her family, or to do so by audioconference or videoconference instead of in person.

Operating Procedures for Admission Committees

Given the decisive role of the admission committee and the discretionary nature of its decisions, it is important for school boards to establish operating procedures for these committees in order to ensure consistent practices in all of their schools. These procedures will govern the admission of all students who are not right-holders, unless a procedure for exceptional cases is established, as described above.

In their admission policies, school boards should set out the parameters governing submission of applications, processing of applications, and communication of the committee's decision to the applicants, as outlined below.

Submission of Applications for Admission

Admission policies should set out the procedure for submitting an application and the required documentation. Applications should be submitted in writing to the principal of the school to which admission is being sought, and should be submitted by the student's parent(s) or by the student if he or she is an adult. Documentation required in support of the application may include:

- proof of the student's age;
- proof of the place of residence of the student or parent(s);
- the student's academic record;
- the student's immunization record;
- any other document that may be useful in processing the application, such as a questionnaire to collect information on the use of French at home and on languages spoken and written by the parent(s).

The policies should also set out a substitution procedure in the event that the required documentation cannot be provided. In such cases, the school board could require the parent(s) or adult student to provide a sworn or affirmed statement giving the requested information and explaining why the required documents are not available.

Processing of Applications for Admission

Admission policies should clearly explain how applications for admission are processed, and should include the following information:

- the criteria, including the weighting applied, used to determine whether the student may be admitted, for example:
  - the student's level of competence in French
  - the student's interest in learning French
  - the extent of the use of French and/or the presence of aspects of French culture in the family home
  - the importance that the student's parent(s) attach to the language and culture of the French-speaking community
  - the commitment of the parent(s) to support the student's academic development in French within a board and school where the language of operation and administration is French
- the purpose, content, and organization of the interview
- the timeframe within which the admission committee must process an application and issue a decision (for example, five working days between the interview and the decision might be a reasonable period)
- the admission committee's exclusive jurisdiction (that is, its discretionary decision-making authority) over whether or not to admit a student

Communication of Decisions on Applications for Admission

Admission policies should state the following:

- For the sake of transparency, the admission committee must document its decision and ensure that the related documentation is available.
- The committee may give its decision orally to the parent(s) who submitted the application for admission, but written confirmation is to follow. The notice of confirmation should set out any grounds for rejection.

Some school boards may wish to establish a process for reviewing decisions. If so, it is important that the process be clearly explained in their policies should parent(s) request such a review.

Implementation of Admission Policies

School boards are encouraged to establish a procedure for ensuring that their admission policies are understood and implemented in every school community they serve.

Appendix: Excerpts From The Legislation

Relevant excerpts from the Canadian Charter of Rights and Freedoms, the French Language Services Act, and the Education Act are provided below for ease of reference.

Canadian Charter of Rights and Freedoms

23. (1) Citizens of Canada

a) whose first language learned and still understood is that of the English or French linguistic minority population of the province in which they reside, or

b) who have received their primary school instruction in Canada in English or French and reside in a province where the language in which they received that instruction is the language of the English or French linguistic minority population of the province,
have the right to have their children receive primary and secondary school instruction in that language in that province.

(2) Citizens of Canada of whom any child has received or is receiving primary or secondary school instruction in English or French in Canada, have the right to have all their children receive primary and secondary school instruction in the same language.

(3) The right of citizens of Canada under subsections (1) and (2) to have their children receive primary and secondary school instruction in the language of the English or French linguistic minority population of a province

a) applies wherever in the province the number of children of citizens who have such a right is sufficient to warrant the provision to them out of public funds of minority language instruction; and

b) includes, where the number of those children so warrants, the right to have them receive that instruction in minority language educational facilities provided out of public funds.

French Language Services Act, R.S.O. 1990, Chapter F.32

Preamble

Whereas the French language is an historic and honoured language in Ontario and recognized by the Constitution as an official language in Canada; and whereas in Ontario the French language is recognized as an official language in the courts and in education; and whereas the Legislative Assembly recognizes the contribution of the cultural heritage of the French speaking population and wishes to preserve it for future generations; and whereas it is desirable to guarantee the use of the French language in institutions of the Legislature and the Government of Ontario, as provided in this Act; ...

Education Act, R.S.O. 1990, Chapter E.2

Interpretation, other general matters

1. (1)
"French-speaking person" means a child of a person who has the right under subsection 23 (1) or (2), without regard to subsection 23 (3), of the Canadian Charter of Rights and Freedoms to have his or her children receive their primary and secondary school instruction in the French language in Ontario; ("francophone")
"French-language rights holder" means a person who has the right under subsection 23 (1) or (2), without regard to subsection 23 (3), of the Canadian Charter of Rights and Freedoms to have his or her children receive their primary and secondary school instruction in the French language in Ontario; ("titulaire des droits liés au français")
"guardian" means a person who has lawful custody of a child, other than the parent of the child; ("tuteur")

Powers of Minister

8. (1) The Minister may,

guidelines: role and responsibilities of board members, officials

3.4 establish policies and guidelines respecting the roles and responsibilities of board members, directors of education, supervisory officers, principals, superintendents and other officials;

Regulations

11. (1) Subject to the approval of the Lieutenant Governor in Council, the Minister may make regulations in respect of schools or classes established under this Act, or any predecessor of this Act, and with respect to all other schools supported in whole or in part by public money,

admit pupils

2. governing the admission of pupils;

Compulsory attendance

21. (1) Unless excused under this section,
(a) every person who attains the age of six years on or before the first school day in September in any year shall attend an elementary or secondary school on every school day from the first school day in September in that year until the person attains the age of 18 years; and
(b) every person who attains the age of six years after the first school day in September in any year shall attend an elementary or secondary school on every school day from the first school day in September in the next succeeding year until the last school day in June in the year in which the person attains the age of 18 years.

Resident pupil right to attend school

32.(1) A person has the right, without payment of a fee, to attend a school in a school section, separate school zone or secondary school district, as the case may be, in which the person is qualified to be a resident pupil.

Admission without fee

(2) Despite the other provisions of this Part, but subject to subsection 49 (6), where it appears to a board that a person who resides in the area of jurisdiction of the board is denied the right to attend school without the payment of a fee, the board, at its discretion, may admit the person from year to year without the payment of a fee.

Resident pupil qualification: elementary French-language public district school boards

33. (2) Subject to sections 44 and 46, a person who attains the age of six years in any year is, after September 1 in that year, qualified to be a resident pupil in respect of a school section of a French-language public district school board until the last school day in June in the year in which he or she attains the age of 21 years if,

(a) the person is a French-speaking person;
(b) the person resides in the school section; and
(c) the person's parent or guardian resides in the school section and,
 (i) is a supporter of the French-language public district school board, or
 (ii) is not in respect of that residence a supporter of any board.

Resident pupil qualification: elementary French-language separate district school boards

(4) Subject to sections 44 and 46, a person who attains the age of six years in any year is, after September 1 in that year, qualified to be a resident pupil in respect of a separate school zone of a French-language separate district school board for elementary school purposes until the last school day in June in the year in which he or she attains the age of 21 years if,

(a) the person is a French-speaking person;

(b) the person resides in the separate school zone; and

(c) the person's parent or guardian who is a French-language separate district school board supporter resides in the separate school zone.

Evidence as to right to attend

(5) It is the responsibility of the parent or guardian to submit evidence that the child has a right to attend an elementary school, including proof of age.

Resident pupil qualification: secondary French-language public district school boards

36. (2) A person is qualified to be a resident pupil in respect of a secondary school district of a French-language public district school board if,

(a) the person is a French-speaking person, the person and the person's parent or guardian reside in the secondary school district and,

(i) the person's parent or guardian is a supporter of the French-language public district school board, or

(ii) the person's parent or guardian is not in respect of that residence a supporter of any board;

(a.1) subject to any regulations made under section 43.3, the person is 16 or 17 years of age, has withdrawn from parental control, is a French-speaking person and resides in the secondary school district;

(b) the person is a French-language public district school board supporter and resides in the secondary school district and is an owner or tenant of residential property in the secondary school district that is separately assessed; or

(c) the person is a French-speaking person, is not a supporter of any board, is at least 18 years of age and resides in the secondary school district.

Resident pupil qualification: secondary French-language separate district school boards

(4) A person is qualified to be a resident pupil in respect of a separate school zone of a French-language separate district school board for secondary school purposes if,

(a) the person and the person's parent or guardian who is a French-language separate district school board supporter reside in the separate school zone;

(a.1) subject to any regulations made under section 43.3, the person is 16 or 17 years of age, has withdrawn from parental control, is a French-speaking person and a Roman Catholic and resides in the separate school zone;

(b) the person is a French-language separate district school board supporter and resides in the separate school zone and is an owner or tenant of residential property in the zone that is separately assessed; or

(c) the person is a French-speaking person and a Roman Catholic, is not a supporter of any board, is at least 18 years of age and resides in the secondary school district.

Admission of pupils other than French-speaking persons where French is language of instruction

293. (1) A French-language district school board, on the request of the parent of a pupil who is not a French-speaking person, or of a person who has lawful custody of a pupil who is not a French-speaking person, or of a pupil who is an adult and is not a French-

speaking person, may admit the pupil to a school of the board if the admission is approved by majority vote of an admissions committee appointed by the board and composed of,

(a) the principal of the school to which admission is requested;
(b) a teacher of the board; and
(c) a supervisory officer employed by the board.

Same

(2) A school authority that operates a French-language instructional unit, on the request of the parent of a pupil who is not a French-speaking person, or of a person who has lawful custody of a pupil who is not a French-speaking person, or of a pupil who is an adult and is not a French-speaking person, may admit the pupil to the French-language instructional unit if the admission is approved by majority vote of an admissions committee appointed by the school authority and composed of,

(a) the principal of the school to which admission is requested;
(b) a teacher who uses the French language in instruction in the school; and
(c) a French-speaking supervisory officer employed by the school authority or arranged for in accordance with subsection (3).

Where school authority has no French-speaking supervisory officer

(3) Where a school authority does not employ a French-speaking supervisory officer, it shall arrange for a French-speaking supervisory officer employed by another board or by the Minister to serve as a member of the admissions committee.

1. In this memorandum, *school board(s)* and *board(s)* refer to district school boards and school authorities.

2. In this memorandum, *parent(s)* refers to parent(s) and guardian(s).

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Ontario

Policy/Program Memorandum No. 149

Date of Issue: September 25, 2009

Effective: Until revoked or modified

Subject: PROTOCOL FOR PARTNERSHIPS WITH EXTERNAL AGENCIES FOR PROVISION OF SERVICES BY REGULATED HEALTH PROFESSIONALS, REGULATED SOCIAL SERVICE PROFESSIONALS, AND PARAPROFESSIONALS

Application: Directors of Education
Secretary-Treasurers and Supervisory Officers of School Authorities
Superintendents of Schools
Principals of Elementary Schools
Principals of Secondary Schools

Introduction

The ministry is committed to promoting effective community-based partnerships with external agencies that foster continuous improvement in the delivery of programs and services for all students, including students with special needs. Closing achievement gaps for all students continues to be a major priority.

The purpose of this memorandum is to provide direction to school boards1 concerning the review and/or development of a local protocol for partnerships with external agencies for the provision of services in Ontario schools by regulated health professionals, regulated social service professionals, and paraprofessionals. It outlines the requirements for reviewing and/or developing a local protocol, and specifies the requirements for implementing the protocol and for reporting on the protocol to stakeholders.

Requirements for Review and/or Development of a Board Protocol

School boards with an existing protocol will review their protocol to ensure that it is aligned with the requirements outlined in this memorandum. School boards without an existing protocol will develop a protocol that is aligned with those requirements. The protocol will be designed to support the school board's capacity to provide programs and services to all students, including students with special needs. The protocol will reflect local circumstances, including the language of the board.

The protocol will outline the following:

- programs and services that are currently delivered by external agencies
- programs and services that are currently delivered by school board professional student services personnel (PSSP) and paraprofessionals
- programs and services that could be delivered by school board PSSP and paraprofessionals, but are not being delivered by them for financial reasons or because requirements do not match the job descriptions or qualifications of board PSSP and/or paraprofessionals

A distinction must be made in the protocol between long-term and short-term (time-limited) partnerships to ensure that long-term duplication of services already provided by school board PSSP and paraprofessionals does not occur.

The protocol must be aligned with the collective agreements of unionized school board staff and enhance the delivery of services. The protocol must provide for supplementing, but not duplicating, the services of school board PSSP and paraprofessionals. A protocol will be developed by each school board even if there are currently no unionized regulated health professionals, regulated social service professionals, and paraprofessionals on staff.

Where applicable, co-terminus and contiguous school boards must, at a minimum, explore the development of partnerships and protocols to facilitate the delivery of programs and services.

Boards must seek the advice of PSSP and paraprofessionals when reviewing and/or developing their protocol. Boards will also design a procedure for reviewing their protocol and projected services in consultation with external agencies and unionized school board staff at least once a year.

Boards will also ensure that their protocol is consistent with standard school board provisions related to:

- informed consent;
- criminal reference checks;
- appropriate insurance coverage;
- compliance with the Safe Schools Act;
- conflict of interest, confidentiality, equity, human rights, and other relevant policies.

Eligible Categories of Professionals and Paraprofessionals

A board's protocol will cover the following categories of PSSP and paraprofessionals:

- audiologists, as defined by the Audiology and Speech-Language Pathology Act, 1991
- speech-language pathologists, as defined by the Audiology and Speech-Language Pathology Act, 1991
- occupational therapists, as defined by the Occupational Therapy Act, 1991
- physiotherapists, as defined by the Physiotherapy Act, 1991
- psychologists, as defined by the Psychology Act, 1991
- psychological associates, as defined by the Psychology Act, 1991
- social workers, as defined by the Social Work and Social Service Work Act, 1998
- other regulated professionals and/or paraprofessionals who are deemed by the school board to be essential for the delivery of programs and services for students with special needs

Any future regulated categories will also be covered by the protocol.

Additional Requirements for the Board Protocol

In order to assist school boards and external agencies in the development, review, and maintenance of local protocols, a memorandum from the Deputy Minister of Education accompanies this policy/ program memorandum and outlines the elements that each protocol must contain. Any changes to the elements required in the local protocols will be communicated in the future to boards through a similar memorandum.

Implementation and Reporting

School boards will implement their newly developed or reviewed protocol and post it on their website by January 1, 2010. Reviews of and revisions to established protocols will be completed and posted on school board websites by January 1 of each subsequent year.

1. In this memorandum, *school board(s)* and *board(s)* refer to district school boards and school authorities, with the exception of section 68 school authorities.

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Ontario

Policy/Program Memorandum No. 150

Date of Issue: January 15, 2010
Effective: Until revoked or modified
Subject: SCHOOL FOOD AND BEVERAGE POLICY

Application: Directors of Education
Supervisory Officers and Secretary-Treasurers of School Authorities
Principals of Elementary Schools
Principals of Secondary Schools
Principals of Provincial and Demonstration Schools

INTRODUCTION

The Ontario government is committed to making schools healthier places for students in order to establish the conditions needed to realize the potential of all students. A healthy school environment enhances student learning and success, and enhances students' social and emotional well-being. Schools have an important role to play in helping students lead healthier lives, including teaching students the skills to make healthy choices and reinforcing those lessons through school practices.

The purpose of this memorandum is to set out nutrition standards for food and beverages sold in publicly funded elementary and secondary schools in Ontario.

APPLICATION

School boards1 are required to ensure that all food and beverages sold on school premises for school purposes meet the requirements of this memorandum, including the nutrition standards set out in the Appendix to this memorandum,
by September 1, 2011. The nutrition standards apply to all food and beverages sold in all venues (e.g., cafeterias, vending machines, tuck shops), through all programs (e.g., catered lunch programs), and at all events (e.g., bake sales, sports events).

The standards do not apply to food and beverages that are:

- offered in schools to students at no cost;
- brought from home or purchased off school premises and are not for resale in schools;
- available for purchase during field trips off school premises;

Ontario
Ministry of Education

Policy/Program Memorandum No. 151

Date of Issue: February 8, 2010

Effective: July 1, 2010, until revoked or modified

Subject: PROFESSIONAL ACTIVITY DAYS DEVOTED TO PROVINCIAL EDUCATION PRIORITIES

Application: Directors of Education
Secretaries and Supervisory Officers of School Authorities
Director, Provincial Schools Branch
Superintendent, Centre Jules-Léger

Reference: Regulation 304, "School Year Calendar, Professional Activity Days"

Introduction

Regulation 304, "School Year Calendar, Professional Activity Days", made under the Education Act, sets out the conditions governing the establishment of school year calendars. The regulation provides that school boards[1] may designate up to six professional activity (PA) days[2] per school year. Two of those PA days must be devoted to provincial education priorities that are currently identified in subsection 4(2) and Schedule 1 of the regulation.

Effective July 1, 2010, Regulation 304 will no longer identify the criteria that determine the scope of the professional activities for the two mandatory PA days and will no longer include Schedule 1, which contains the possible topics for those PA days. Instead, the criteria and topics are set out in the Appendix to this memorandum, and are effective July 1, 2010. If the provincial priorities for education should change in subsequent years, the criteria and topics in the Appendix will be updated.

Legislative Authority

On December 15, 2009, the Student Achievement and School Board Governance Act, 2009 came into force. It amends subsection 8(1) of the Education Act to give the Minister of Education the authority to "establish policies and guidelines respecting criteria and topics for the professional activity days that are required by regulation and require boards to comply with the policies and guidelines" (paragraph 28).

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1. In this memorandum, *school board(s)* and *board(s)* refer to district school boards and school authorities.

2. Regulation 304, paragraphs 1 and 2 of subsection 2(3.1).

Requirements for School Boards

School boards must continue to prepare their school year calendars according to the requirements set out in Regulation 304. Accordingly, boards must designate two PA days and may designate up to four additional PA days per school year. Boards must ensure that the professional activities on all PA days are consistent with the definition of "professional activity" found in the regulation.[3] Boards must ensure that professional activities on the two mandatory PA days are devoted to the provincial education priorities set out in the Appendix to this memorandum. If boards designate one or more of the four remaining PA days available per school year, they must ensure that some of the professional activities relate to curriculum development, implementation, and review.

Boards must continue to submit their school year calendars to the Ministry of Education according to the dates specified in the regulation.

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[3] As stated in section 1(1) of Regulation 304, "'professional activity' includes evaluation of the progress of pupils, consultation with parents, the counselling of pupils, curriculum and program evaluation and development, professional development of teachers and attendance at educational conferences, but does not include preparation by teachers for classes or instruction."

Appendix: Criteria and Topics for the Two Mandatory Professional Activity Days

The criteria that determine the scope of the professional activities for the two PA days required under paragraph 1 of subsection 2(3.1) of Regulation 304 are as follows:

- The professional activities are devoted to the professional learning of teachers with respect to improving student achievement and student success.
- The professional activities are devoted to the professional learning of teachers with respect to closing the gaps in student achievement.

The following are the possible topics for professional activities relating to improving student achievement and student success:

- early learning
- performing assessments and evaluations for and of learning
- facilitating parental and community engagement
- using data analysis to inform instruction
- developing and implementing board and school improvement plans
- creating an equitable and inclusive classroom climate that is conducive to learning
- developing student and classroom learning profiles
- facilitating transitions for students who are entering school, changing grades or schools, or leaving school
- promoting instructional leadership
- developing skills for teacher inquiry and reflective practice

The following are the possible topics for professional activities relating to closing the gaps in student achievement:

- developing Individual Education Plans (IEPs)
- implementing activities related to assistive technologies, differentiated instruction, Universal Design for Learning, and professional learning technologies
- facilitating parental involvement in Identification, Placement, and Review Committees established under Part II of Ontario Regulation 181/98, "Identification and Placement of Exceptional Pupils", made under the Education Act, and in the development of IEPs
- using differentiated instructional and assessment strategies and resources that are responsive to students' learning needs and that reflect Ontario's diverse student population
- developing and implementing strategies to close the gaps in mathematical literacy
- developing and implementing strategies to close the gaps in literacy
- developing and implementing strategies to improve boys' literacy
- developing and implementing early and ongoing instructional interventions
- using strategies to support English language learners and students in Actualisation linguistique en français and Perfectionnement du français
- integrating the use of manipulative aids and technology to support a range of learning styles

Ontario

Policy/Program Memorandum No. 152

Date of Issue: February 12, 2010
Effective: Until revoked or modified
Subject: TERMS AND CONDITIONS OF EMPLOYMENT OF PRINCIPALS AND VICE-PRINCIPALS

Application: Directors of Education
Secretary-Treasurers and Supervisory Officers of School Authorities

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INTRODUCTION

Ontario's publicly funded education system supports and reflects the democratic values of fairness, equity, and respect for all. Recognizing the importance of education, the Ontario government has established the following three core priorities:

- high levels of student achievement
- reduced gaps in student achievement
- increased public confidence in publicly funded education

In *Reach Every Student: Energizing Ontario Education, 2008*, the government reaffirmed its support for the role of the principal with a commitment to develop a more comprehensive leadership strategy. In September 2008, the Premier launched the Ontario Leadership Strategy, the goals of which are to attract the right people to become principals and to help them develop into the best possible instructional leaders. Key components of the Ontario Leadership Strategy include mentoring for all newly appointed principals and vice-principals in their first two years of practice, performance appraisal of principals and vice-principals, and promotion of the Leadership Framework, as well as succession planning and talent development to ensure the best possible leadership in the years ahead.

The Ontario Leadership Strategy also focuses on establishing terms and conditions of employment for principals and vice-principals that are consistent across the province. In 2005, the government first introduced the idea of consistent terms and conditions in the discussion paper entitled *Leading Education: New Supports for Principals and Vice-principals in Ontario Publicly Funded Schools*. To support the government's commitment to establishing province-wide terms and conditions and to determine effective practices, the ministry facilitated joint meetings of associations of principals, supervisory officers, and directors of education from November 2008 to April 2009. As a result, in April 2009,

the document entitled *Effective Practices Guide for Principal/Vice-principal Terms and Conditions of Employment* was released.

School culture is a significant determining factor in student learning, and the principal, as instructional leader, is critical to establishing this culture. Leadership and its impact on student achievement and well-being in a school board is the shared responsibility of the management team, and each member of that team plays a significant role. As part of the management team, principals and vice-principals are the link at the school level between the board, teachers, support staff, students, and parents, all of whom are focused on student achievement and well-being. The development of clear terms and conditions of employment is an integral component of good succession planning and is seen as a factor to help attract potential school leaders.

PURPOSE

The purpose of this memorandum is to set out provincial standards of practice to assist school boards in establishing terms and conditions of employment of principals and vice -principals that are consistent province-wide.

REQUIREMENTS FOR BOARDS

All boards will implement this memorandum by March 31, 2011. School boards with existing terms and conditions for the employment of principals and vice-principals will review their document to ensure that it is in accordance with the requirements outlined in this memorandum. School boards without existing terms and conditions will develop a document that is in accordance with these requirements.

STANDARDS OF PRACTICE FOR ESTABLISHING TERMS AND CONDITIONS

The Negotiation Process

When negotiating terms and conditions of employment, the local parties shall use the following process:

- The board of trustees may set the negotiation parameters for school board management.
- The director of education or his or her designate(s) shall be responsible for the development, negotiation, and implementation of the terms and conditions on behalf of the board.
- Principals and vice-principals shall have the right to representation by their local principal and vice-principal association.
- Prior to negotiations, all parties must agree on a process for resolving impasses in negotiations and disputes in the development of the terms and conditions.
- The parties must negotiate in good faith. Such negotiation requires the following:
  - meaningful dialogue with the purpose of reaching agreement

  - presentation of views and objectives in the context of a negotiation process that respects the interests of both parties and is aimed at finding resolutions to differences
  - recognition of the right of the employee to choose his or her spokesperson (e.g., a representative of the local principal and vice-principal association)
  - sharing of relevant information
  - a process free from reprisals and intimidation
- Upon agreeing to the terms and conditions, the director of education, or his or her designate(s), and the representative(s) of the local principal and vice-principal association shall sign the resulting document.
- The signed terms-and-conditions document shall be the terms and conditions for all principals and vice-principals in the board.
- The signed terms-and-conditions document shall be made available to all principals and vice-principals in the board and to all principal and vice-principal applicants.
- The parties shall meet as needed to discuss material issues related to the terms-and-conditions document.

Negotiated Provisions

All terms and conditions of employment for principals and vice-principals shall contain the following locally negotiated provisions:

- the specific roles of the board and of the local principal and vice-principal association
- a dispute-resolution process regarding the negotiations process and the interpretation and application of the contents of the document
- procedures for discipline, demotion, suspension, and termination for just cause, including procedures for representation, appeals, and third-party assistance
- a consultative process regarding assignments, which would include a consideration of section B1, "Transfer Provisions", of *Effective Practices Guide for Principal/Vice-principal Terms and Conditions of Employment*
- redundancy procedures, which would include a consideration of section B2, "Redundancy and Reassignment", of *Effective Practices Guide for Principal/Vice-principal Terms and Conditions of Employment*
- indemnification
- the term of the agreement

The documents *Effective Practices Guide for Principal/Vice-principal Terms and Conditions of Employment* and "Questions and Answers: Terms and Conditions of Employment of Principals and Vice-principals, 2010" are provided with this memorandum to assist boards in the development of the provisions of their terms and conditions.

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1. In this memorandum, *school board(s) and board(s)* refer to district school boards and school authorities.

2. See section 11, "Duties of Principals", of Regulation 298, made under the Education Act.

3. In this memorandum, *parent(s)* refers to parent(s) and guardian(s).

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Ministry of Education

Policy/Program Memorandum No. 153

Date of Issue:	May 25, 2010	**Effective:** May 25, 2010, until revoked or modified
Subject:	APPLICATIONS FOR TEMPORARY LETTERS OF APPROVAL	
Application:	Directors of Education Secretary-Treasurers and Supervisory Officers of School Authorities	
Reference:	Regulation 298, "Operation of Schools – General"	

INTRODUCTION

Amendments to Regulation 298, "Operation of Schools – General", made under the Education Act, came into force on May 20, 2010. The revised Regulation 298 includes the requirements for school boards[1] regarding applications for Temporary Letters of Approval. These requirements were previously set out in Ontario Regulation 184/97, "Teachers Qualifications", made under the Ontario College of Teachers Act, 1996.

The purpose of this memorandum is to provide school boards with information on requirements for submitting an application for a Temporary Letter of Approval to the Ministry of Education, a description of the application process, and the application form.

LEGISLATIVE AUTHORITY

The Minister of Education has the authority under the Education Act to grant a Temporary Letter of Approval, for a period of up to one year, authorizing a school board to assign or appoint a teacher[2] to teach a subject, to teach in a division, or to hold a position, where the teacher does not have the required qualifications. The Minister also has the authority, subject to the approval of the Lieutenant-Governor in Council, to make regulations governing the granting of Temporary Letters of Approval.

The Minister has delegated authority to grant Temporary Letters of Approval to the managers of the regional offices of the ministry.

The revised Regulation 298 sets out the criteria governing the granting of a Temporary Letter of Approval, as well as the application requirements. The regulation can be found on the Ontario government website, at www.e-laws.gov.on.ca.

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[1] In this memorandum, *school board(s)* and *board(s)* refer to district school boards and school authorities.

[2] In this memorandum, *teacher* refers to a certified member of the Ontario College of Teachers in good standing.

The following requirements apply to school boards that submit applications for Temporary Letters of Approval on or after May 25, 2010.

REQUIREMENTS FOR SCHOOL BOARDS

If a school board finds it necessary to assign or appoint a teacher to teach a subject, to teach in a division, or to hold a position for which he or she does not have the required qualifications, the board may request a Temporary Letter of Approval. A Temporary Letter of Approval is commonly required to:

- allow a teacher who does not have a qualification in a division to be assigned to teach in the primary or junior division or to teach a general education[3] subject in the intermediate or senior division;
- allow a teacher who does not have a qualification in technological education[4] to be assigned to teach a technological education subject;
- allow a teacher who does not have a qualification in French as a second language (FSL) to be assigned to teach French as a second language;
- allow a teacher who does not have French-language qualifications in a division to be assigned to teach in the primary or junior division where French is the language of instruction;
- allow a teacher who does not have English-language qualifications in a division to be assigned to teach in the primary or junior division where English is the language of instruction;
- allow a teacher who does not have a qualification in special education to be assigned to teach or be placed in charge of a special education program or class;
- allow a teacher who does not have a qualification in teaching students who are deaf or hard of hearing or students who are blind or who have limited vision to be assigned to teach these students;
- allow a teacher who does not have principal's qualifications to be assigned to hold a position as a principal or vice-principal.

Before submitting an application for a Temporary Letter of Approval, the school board must be satisfied that the teacher is competent to teach the subject, to teach in the division, or to hold the position, and must also ensure that the teacher has agreed to the assignment or appointment. The board should therefore assess the teacher's teaching experience and formal education credentials (including teaching qualifications), and take into consideration any other information that may be relevant. First and foremost, the school board must give consideration to providing the best possible program and ensuring the safety and well-being of the students.

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[3] *General education*, as defined in section 1 of Regulation 298, refers to the curriculum described in the ministry's secondary curriculum policy documents, with the exception of the technological education curriculum policy documents for Grades 9 to 12.

[4] *Technological education*, as defined in section 1 of Regulation 298, refers to the curriculum described in the ministry's secondary curriculum policy documents entitled *The Ontario Curriculum, Grades 9 and 10: Technological Education, 2009* and *The Ontario Curriculum, Grades 11 and 12: Technological Education, 2009.*

Application Process for a Temporary Letter of Approval

The director of education, or other school board official authorized by the board to make the application, may submit a request for a Temporary Letter of Approval on behalf of the school board. The school board official should submit a completed Application for a Temporary Letter of Approval to the appropriate regional office of the ministry (see form at end of this memorandum).

Every Application for a Temporary Letter of Approval must include a signed declaration from the director of education, or other school board official authorized to make the application, stating that the following requirements of Regulation 298 have been met:

- The board finds it necessary to assign a teacher to teach a subject, to teach in a division, or to hold a position for which he or she does not have the qualifications required.
- The teacher holds a Certificate of Qualification and Registration in good standing with the Ontario College of Teachers.
- The teacher is competent to teach the subject, to teach in the division, or to hold the position.
- The teacher has agreed to the assignment or appointment.

The school board must be able to provide evidence that it has complied with these requirements, if asked to do so by the ministry.

Starting Date and Duration of Assignment

School boards should ensure that the anticipated starting date for the assignment for which they are requesting a Temporary Letter of Approval is later than the date of submission of the application. If a Temporary Letter of Approval is granted, it is effective as of the starting date of the assignment.

School boards must ensure that the duration of the teacher's assignment for which they are requesting a Temporary Letter of Approval does not exceed the limit of one year (that is, twelve months) that is set out in the Education Act. Subject to this limit, a Temporary Letter of Approval may be granted for a period that extends beyond the end of a school year, but ends before the beginning of the next school year, if the assignment does not conform to the regular school-year calendar.

Subsequent Requests for a Temporary Letter of Approval

A Temporary Letter of Approval may be granted for a teacher to teach a subject, to teach in a division, or to be assigned to a position for a subsequent school year. In such cases, a school board must submit a new Application for a Temporary Letter of Approval for the teacher. Each time an application is submitted, the director of education, or other board official who is authorized by the board to make the application, must certify that the board finds it necessary to assign a teacher to teach a subject, to teach in a division, or to hold a position for which he or she does not have the required qualifications.

School boards are expected to encourage teachers assigned under a Temporary Letter of Approval to make reasonable efforts to complete qualifications for the particular subject area, division, or position to ensure that they are qualified for that particular assignment in subsequent school years.

SCHOOL BOARD REVIEW OF TEMPORARY LETTERS OF APPROVAL

School board staffing committees (or the equivalent) are requested to review and discuss on an annual basis data provided by the ministry on Temporary Letters of Approval.

MINISTRY CONTACT

School board officials who have questions about the revised Temporary Letter of Approval application process should contact their local ministry regional office.

APPLICATION FOR A TEMPORARY LETTER OF APPROVAL

Instructions

The director of education, or other school board official authorized to submit this application, must complete section 1 and complete, sign, and date section 2. Applications should be submitted to the manager of the appropriate regional office of the Ministry of Education.

For further information on completing this form, see Policy/Program Memorandum No. 153, “Applications for Temporary Letters of Approval”, May 25, 2010.

Section 1: Details of the Request for a Temporary Letter of Approval

Teacher’s Name (please provide full legal name):	Teacher’s OCT Registration Number:
Name of School:	Name of School Board:
Subject, Division, or Position:	
Start Date (dd/mm/yyyy):	End Date (dd/mm/yyyy):

Section 2: Declaration by Board Official

This is to certify that the following requirements have been met:

☐ The school board finds it necessary to assign or appoint a teacher to teach a subject, to teach in a division, or to hold a position for which he or she does not have the qualifications required by Regulation 298, made under the Education Act.

☐ The teacher named in this application meets the following requirements:
  - ☐ He or she holds a Certificate of Qualification and Registration in good standing with the Ontario College of Teachers.
  - ☐ He or she is competent to teach the subject, to teach in the division, or to hold the position.
  - ☐ He or she has agreed to the assignment or appointment.

Name of Director of Education or Other Board Official:	Signature:	Date:

Ontario
Ministry of Education

Policy/Program Memorandum No. 154

Date of Issue: August 18, 2010

Effective: Until revoked or modified

Subject: APPLICATIONS FOR LETTERS OF PERMISSION FOR POSITIONS REQUIRING A REGISTERED EARLY CHILDHOOD EDUCATOR

Application: Directors of Education
Supervisory Officers of School Authorities

Reference: Ontario Regulation 322/10, "Letters of Permission – Early Childhood Educators"

INTRODUCTION

The Education Act requires school boards[1] to designate at least one position in each full-day Junior Kindergarten or Kindergarten class in each school of the board and in each extended-day program unit as requiring a registered early childhood educator – that is, a member of the College of Early Childhood Educators.[2]

Ontario Regulation 322/10, "Letters of Permission – Early Childhood Educators", came into force on August 16, 2010. This regulation governs requirements for school boards regarding applications for Letters of Permission to appoint persons who are not registered early childhood educators to positions designated as requiring a registered early childhood educator.

The purpose of this memorandum is to provide boards with information on requirements for submitting an application, a description of the application process, and the application form.

LEGISLATIVE AUTHORITY

Subsection 8(1), paragraph 10.1, of the Education Act provides that the Minister may grant a Letter of Permission to a school board authorizing the board to appoint for a period not exceeding one year an individual who is not a member of the College of Early Childhood Educators – that is, an individual who is not a registered early childhood educator – to a position in a Junior Kindergarten or Kindergarten class or in an extended-day program unit designated as requiring a registered early childhood educator, if the Minister is satisfied that no registered early childhood educator is available.

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[1] In this memorandum, *school board(s)* and *board(s)* refer to district school boards and school authorities.

[2] Members of the College of Early Childhood Educators are authorized to use the title "early childhood educator" or "registered early childhood educator".

The Minister has delegated authority to grant Letters of Permission to the regional managers of the regional offices of the ministry.

Ontario Regulation 322/10 sets out the criteria governing the granting of Letters of Permission. The regulation can be found on the Ontario government website, at www.e-laws.gov.on.ca.

REQUIREMENTS FOR SCHOOL BOARDS

School boards must make every effort to appoint individuals who are registered early childhood educators to positions that the board has designated as requiring an early childhood educator. Such efforts include reviewing the board list of occasional registered early childhood educators for potential candidates for the vacant position.

The following requirements apply to school boards that submit applications for Letters of Permission authorizing them to appoint a person who is not a registered early childhood educator to a position designated as requiring an early childhood educator on or after August 18, 2010.

Application Process for a Letter of Permission

To request a Letter of Permission, the director of education of a board, the secretary of a board, or the supervisory officer of a school authority must submit a completed Application for an Early Childhood Educator Letter of Permission to the appropriate regional office of the ministry.

A school board cannot submit an application until at least the seventh day after the closing date of a competition to fill a position for an early childhood educator.

Every application must include a signed declaration of the director of education of the board, the secretary of the board, or the supervisory officer of the school authority stating that the requirements of the regulation have been met. This declaration must also include confirmation that no registered early childhood educator applied for the position for which the Letter of Permission is being requested, or, if a registered early childhood educator did apply, he or she did not accept the position.

School boards must be able to provide evidence that they have complied with the requirements set out in the regulation, if asked to do so by the Minister.

Fulfilment of Advertising Requirements

The advertising requirements set out in Ontario Regulation 322/10 reflect the requirement that school boards demonstrate that they have made reasonable efforts to make registered early childhood educators aware of the vacant early childhood educator position for which the Letter of Permission is being requested.

On the application form, school boards must declare that they have advertised at least once the position designated as requiring a registered early childhood educator for which the Letter of Permission is being requested. This advertisement must have been made public in the following ways:

- The advertisement must have been published in a daily newspaper that has provincial circulation in Ontario (e.g., *The Globe and Mail, The National Post, Le Droit*) for at least three days, and at least one of those days must have been "within the five days before the closing date of the competition for the position".
- The advertisement must have been published on a publicly accessible website that is approved by the Minister for at least ten days, and it must not have been removed before the closing date of the competition for the position. Approved websites are www.educationcanada.com, www.workopolis.com, www.applytoeducation.com, and www.jobsineducation.com.

School boards must include a declaration on the application that every day that the advertisement was publicly available was "within the 30 days before the closing date of the competition for the position". The advertisement must also have included the following information:

- the closing date of the competition for the position
- details of the position
- the duration of employment

Beginning in the 2011–12 school year, boards will also have to declare on the application form that the advertisement was published on at least two job-posting websites, approved by the Minister, of a university, college of applied arts and technology, or private career college[3] offering early child education diploma or degree programs. Where the chosen institution does not have a career website or location for job postings, the board must forward the advertisement to the heads of early childhood education departments or equivalent positions.

Background Checks

School boards are required to confirm that they have made every effort to ensure student safety. On the application form, they must declare that they have conducted a reference check of the individual they propose to appoint under the Letter of Permission for a position designated as requiring a registered early childhood educator and that they are satisfied with the results. Boards also must declare that they have collected "a personal criminal history" of this individual, as defined in Ontario Regulation 521/01, "Collection of Personal Information", made under the Education Act.

On the application form, school boards must also include a declaration that the individual they propose to appoint to the position meets the following requirements:

- He or she is eighteen years of age or older, and holds an Ontario Secondary School Diploma, a Secondary School Graduation Diploma, or a Secondary School Honour Graduation Diploma, or the equivalent.
- He or she is not and has never been a member of the College of Early Childhood Educators.

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[3] Private career colleges must be registered under the Private Career Colleges Act, 2005.

- He or she has given the board a written statement that any certificate or licence granted to him or her by another jurisdiction for the practice of early childhood education is not cancelled, revoked, or suspended for any reason other than for failure to pay fees or levies to the governing body.

Subsequent Appointments Under the Authority of Letters of Permission for Positions Designated as Requiring an Early Childhood Educator

School boards must declare that an individual being considered for two or more appointments under Letters of Permission for positions designated as requiring an early childhood educator has provided the board with documentation to demonstrate that he or she has made progress towards obtaining the qualifications necessary to become a member of the College of Early Childhood Educators since the date that the most recent Letter of Permission was granted, and that the board is satisfied with the documentation.

Documentation may include, but is not limited to, the following:
- transcripts
- the acceptance letter from, or confirmation of registration in, an early childhood education program approved or accepted by the College of Early Childhood Educators and offered by a college of applied arts and technology, university, or private career college

Beginning in 2011–12, in cases where two or more Letters of Permission have been granted to a board to appoint an individual to a designated early childhood educator position and the individual has not been able to make progress towards becoming a member of the College of Early Childhood Educators owing to extenuating circumstances (e.g., maternity leave, illness, disability, lack of availability of courses), the board is required to obtain from the individual relevant and satisfactory documentation and information with respect to the extenuating circumstances.

An individual cannot be appointed under Letters of Permission to positions designated as requiring an early childhood educator for more than a total of four years.

School boards are encouraged to develop a performance appraisal process for individuals working as early childhood educators under an early childhood educator Letter of Permission.

Starting Date and Duration of Employment

School boards must ensure that the anticipated starting date for employment in the early childhood educator position for which they are requesting a Letter of Permission is no later than thirty days after the closing date of the competition for the position. If a Letter of Permission is granted, it is effective as of the starting date of employment in the position.

School boards must also ensure that the duration of appointment to the position for which they are requesting a Letter of Permission does not exceed one year (that is, twelve months).

BOARD REVIEW OF LETTERS OF PERMISSION

Letters of Permission are granted only when a registered early childhood educator is not available or is not willing to accept the appointment to a position designated as requiring an early childhood educator, so it is important that boards regularly review their usage of Letters of Permission for appointing individuals to positions requiring an early childhood educator. School board staffing committees (or the equivalent) are requested to review and discuss at least once a year the board data on Letters of Permission with their board.

MINISTRY CONTACT

School board officials who have questions about the application process for the new early childhood education Letter of Permission should direct them to the Early Learning education officer at their local ministry regional office.

APPLICATION FOR AN EARLY CHILDHOOD EDUCATOR LETTER OF PERMISSION, 2010–11

On behalf of ....
(name of school board)

a Letter of Permission is requested in order to appoint

....
(name in full)

to a position in..
(a Junior Kindergarten or Kindergarten class or an extended-day program unit)

designated by the board as requiring a registered early childhood educator

at ....school,

from .... 20......   to .... 20.....

Closing date of the competition for the position: .... 20......

DECLARATION

I hereby declare that the school board has complied with Ontario Regulation 322/10, “Letters of Permission – Early Childhood Educators”, made under the Education Act, and that the following requirements have been met:

- ☐ No registered early childhood educator (i.e., a member of the College of Early Childhood Educators) has applied for the position *or* no registered early childhood educator who applied for the position has accepted it.
- ☐ The board has publicly advertised at least once the position referred to in this application in the following ways:
  - ☐ The advertisement was published in a daily newspaper that has provincial circulation in Ontario for at least three days, and at least one of those days was within the five days before the closing date of the competition for the position.
  - ☐ The advertisement was published on a publicly accessible website that is approved by the Minister for at least ten days, and it was not removed before the closing date of the competition for the position.
- ☐ Every day that the advertisement appeared was within the thirty days before the closing date of the competition.
- ☐ The individual named in this application meets the following requirements:
  - ☐ He or she is eighteen years of age or older, and holds an Ontario Secondary School Diploma, a Secondary School Graduation Diploma, or a Secondary School Honour Graduation Diploma, or the equivalent.
  - ☐ He or she is not and has never been a member of the College of Early Childhood Educators.
  - ☐ He or she has given the board a written statement declaring that any early childhood education certificate or licence granted to him or her by another jurisdiction is not cancelled, revoked, or suspended for any reason other than for failure to pay fees or levies to the governing body.
- ☐ The board has conducted the following background checks of the individual named in this application:
  - ☐ The board has collected “a personal criminal history”, as defined in Ontario Regulation 521/01, “Collection of Personal Information”, made under the Education Act.
  - ☐ The board has conducted a reference check of the individual, and is satisfied with the results.

In addition, I declare that the board has reviewed its list of occasional registered early childhood educators, if any, and has not identified an available or willing candidate for the position.

....	....
Date	Signature Director of education of the board, secretary of the board, or supervisory officer of the school authority
	....
	Print name Director of education of the board, secretary of the board, or supervisory officer of the school authority

Ontario

Ministry of Education

Policy/Program Memorandum No. 155

Date of Issue: January 7, 2013

Effective: Until revoked or modified

Subject: DIAGNOSTIC ASSESSMENT IN SUPPORT OF STUDENT LEARNING

Application: Directors of Education
Secretary-Treasurers and Supervisory Officers of School Authorities
Principals of Elementary Schools
Principals of Secondary Schools
Principals of Provincial and Demonstration Schools

INTRODUCTION

The purpose of this memorandum is to outline how diagnostic assessment tools may be used effectively to inform teaching and learning practices in the classroom in support of student learning and achievement.

This memorandum also outlines how teachers shall use their professional judgement to determine:

- which assessment and/or evaluation tool(s) from the board's list of pre-approved assessment tools is applicable;
- for which student(s); and
- the frequency and timing of the use of the tool.

In order to inform their instruction, teachers must utilize diagnostic assessment during the school year.

A teacher's professional judgement is the cornerstone of assessment and evaluation. Diagnostic assessment is used to identify a student's needs and abilities and the student's readiness to acquire the knowledge and skills outlined in the curriculum expectations. Information from diagnostic assessment helps teachers determine where individual students are in their acquisition of knowledge and skills, so that instruction can be personalized and tailored to provide the appropriate next steps for learning. The ability to choose the appropriate assessment tool(s) as well as determine the frequency and timing of its administration allows the teacher to gather data that is relevant, sufficient, and valid in order to make judgements about student learning during the learning cycle.

Effective assessment, evaluation, and reporting practices play an important role in achieving the three core priorities of the Ministry of Education: high levels of student achievement, reduced gaps in student achievement, and increased public confidence in publicly funded education. The Education Act and regulations made under the act, the policy outlined in *Growing Success,* and related ministry policies and frameworks, such as the Ontario Leadership Framework and the School Effectiveness Framework, are not altered by the direction given in this memorandum.

Growing Success: Assessment, Evaluation, and Reporting in Ontario Schools, First Edition, Covering Grades 1 to 12, 2010 outlines the policy that supports such effective practices, and the ministry is committed to the continued implementation of this policy. *Growing Success* requires teachers to conduct diagnostic and formative assessment as essential steps of assessment *for* learning and assessment *as* learning. Specifically, teachers need to:

- plan assessment concurrently and integrate it seamlessly with instruction;
- share learning goals and success criteria with students at the outset of learning to ensure that students and teachers have a common and shared understanding of these goals and criteria as learning progresses;
- gather information about student learning before, during, and at or near the end of a period of instruction, using a variety of assessment strategies and tools;
- use assessment to inform instruction, guide next steps, and help students monitor their progress towards achieving their learning goals;
- analyse and interpret evidence of learning;
- give and receive specific and timely descriptive feedback about student learning;
- help students to develop skills of peer and self-assessment.

(*Growing Success*, pp. 28–29)

This memorandum provides direction on the selection and use of diagnostic assessment tools used to gather data and information about student learning.

The direction, principles, and criteria set out in this memorandum will take effect immediately.

SCOPE

This memorandum applies to the use of formal diagnostic assessment tools. This memorandum does not apply to the following types of assessment:

- *Special education assessments.* These include educational and/or other professional assessments conducted to identify students with special education needs, to determine the special education programs and/or services required by these students, and/or to support decisions related to such programs and services.

- *Large-scale assessments.* These include provincial assessments conducted by the Education Quality and Accountability Office (EQAO) – the assessments of reading, writing, and mathematics in Grades 3 and 6; the assessment of mathematics in Grade 9; and the Ontario Secondary School Literacy Test. They also include assessments conducted as part of ministry-approved national or international assessments, such as the Programme for International Student Assessment (PISA), the Trends in International Mathematics and Science Study (TIMSS), the Progress in International Reading Literacy Study (PIRLS), and the Pan-Canadian Assessment Program (PCAP). They may also include ministry-mandated assessments.

USE OF DIAGNOSTIC ASSESSMENT TOOLS IN SUPPORT OF STUDENT LEARNING

In *Growing Success*, the term *diagnostic assessment* is defined as "assessment that is used to identify a student's needs and abilities and the student's readiness to acquire the knowledge and skills outlined in the curriculum expectations. Diagnostic assessment usually takes place at the start of a school year, term, semester, or teaching unit. It is a key tool used by teachers in planning instruction and setting appropriate learning goals" (p. 146). Diagnostic assessment provides information that is "used by teachers and students to determine what students already know and can do with respect to the knowledge and skills identified in the overall and specific expectations" (p. 31).

Data from diagnostic assessment and formative assessment is used to determine students' readiness to learn the new knowledge and skills set out in the curriculum expectations, and obtain information about students' interests and learning preferences. This data may be collected through a variety of means, which can include observation, student portfolios, and student self-assessment, among others. This information helps teachers plan daily classroom instruction and assessment that are differentiated and personalized, and set appropriate learning goals with their students.

Research confirms the importance of using various kinds of information to develop and monitor plans to improve student learning (in Ontario, the Board Improvement Plan for Student Achievement is such a plan). School and board leaders are expected to use data to identify trends, strengths, and weaknesses that can inform specific actions for improvement in student achievement.

Guiding Principles of Selection of Diagnostic Assessment Tools

All assessment conducted in Ontario public schools is guided by and subject to the fundamental principles listed and discussed on pages 6–8 of *Growing Success.*

In addition to the fundamental principles set out in *Growing Success*, teachers, principals, and school board staff will use the following principles when selecting diagnostic assessment tools:

- All available classroom, school, and board data and information (e.g., information from day-to-day classroom assessments, data from provincial report cards, and EQAO data) should be taken into account when determining what additional data and information, if any, is needed for board improvement planning.
- School board staff reviews diagnostic assessment tools to ensure that the tools support the collection of valid and reliable evidence.
- In developing their Board Improvement Plan for Student Achievement, principals and school board staff must clearly communicate with teachers the purpose of the tool and how it is used.
- Duplication of effort and excessive student testing are avoided to allow for effective use of instructional time.

Criteria for Selection of Diagnostic Assessment Tools

In selecting diagnostic assessment tools, teachers, teacher affiliates, principals, and school board staff, in their respective roles and responsibilities, will consider whether a diagnostic assessment tool:

- is related appropriately to the knowledge and skills identified in the curriculum expectations;

- is designed to provide information that assists in identifying student needs and targeting improvements;
- identifies strengths and gaps in students' knowledge and skills and provides sufficient evidence from which inferences about students' learning can be made;
- is appropriate in content, design, and mode of delivery;
- provides a range of targeted strategies that teachers can use to plan next steps in instruction and student learning;
- forms part of a balanced, comprehensive assessment system that provides detailed evidence of each student's development.

Criteria for the Use of Diagnostic Assessment Tools

In using diagnostic assessment tools, teachers will ensure that:

- the tools are administered judiciously so that they support the identification of student learning needs, track progress, and supplement instruction;
- the tools are administered judiciously so that they produce the type of data and information required to effectively inform classroom instruction;
- the tools are administered in a manner that will allow the teacher to assess students' progress and share such information with the principal upon request;
- the information is used to guide students in focusing their learning efforts, setting and monitoring goals, and determining next steps in learning.

COLLECTIVE RESPONSIBILITY FOR STUDENT LEARNING

Collective Responsibility and Professional Judgement

Teachers, principals, and school board staff share a collective responsibility and accountability for student achievement and, in their respective roles, exercise their professional judgement as defined in *Growing Success*:

> Judgement that is informed by professional knowledge of curriculum expectations, context, evidence of learning, methods of instruction and assessment, and the criteria and standards that indicate success in student learning. In professional practice, judgement involves a purposeful and systematic thinking process that evolves in terms of accuracy and insight with ongoing reflection and self-correction. (p. 152)

As stated in *Growing Success*, "teachers' professional judgements are at the heart of effective assessment, evaluation, and reporting of student achievement" (p. 8). In addition, successful implementation of policy "depends on the professional judgement of educators at all levels, as well as on educators' ability to work together … on the continuing efforts of strong and energized professional learning communities to clarify and share their understanding of policy and to develop and share effective implementation practices, … on creative and judicious differentiation in instruction and assessment to meet the needs of all students, and on strong and committed leadership from school and system leaders, who coordinate, support, and guide the work of teachers" (p. 2).

Teachers

Teachers will use their professional judgement, as defined in *Growing Success,* when selecting and using diagnostic assessment tools. Teachers must utilize diagnostic assessment during the school year, selecting tools from the board's approved list. In selecting and using diagnostic assessment tools from the board's list, teachers shall determine the following:

- the diagnostic assessment tools that are applicable;
- which student(s) will be assessed (individual student, small group, or whole class);
- the frequency of use of the diagnostic assessment tools;
- the appropriate timing of the use of the diagnostic assessment tools.

Principals

Principals play an important role in ensuring a consistent and continuous school-wide focus on student learning. Through the use of a variety of tools to support and monitor student progress, principals will continue to provide leadership when working in collaboration with teachers to gather information about student learning in support of school and board improvement plans for student achievement.

Boards

Through the use of quality diagnostic assessment tools, valid and reliable data and information on student achievement is collected. Boards shall establish and provide a list of approved diagnostic assessment tools that are consistent with their board plans for improving student learning and achievement. In consultation with teachers and principals, boards will continue to collaborate to develop a common understanding of the planning process and the need for student data and information that can inform actions taken to improve student learning. Boards will continue to periodically review and update, where necessary, the approved list of diagnostic assessment tools.

Ontario

Ministry of Education

Policy/Program Memorandum No. 156

Date of Issue: February 1, 2013

Effective: Until revoked or modified

Subject: SUPPORTING TRANSITIONS FOR STUDENTS WITH SPECIAL EDUCATION NEEDS

Application:
Directors of Education
Supervisory Officers and Secretary-Treasurers of School Authorities
Superintendents of Schools
Principals of Elementary Schools
Principals of Secondary Schools

PURPOSE

This memorandum sets out for school boards[1] and schools new requirements for transition plans for students with special education needs from Kindergarten to Grade 12.

Effective transition planning is important. Individualized transition plans that reflect a student's strengths and needs provide the foundation for successful transitional experiences that support the building of student resiliency. Articulating student transition needs can also be a valuable component of developing an individual student profile. It is expected that the implementation of the requirements set out in this memorandum will result in continuity of programs and services for students with special education needs and will support improved student achievement and well-being.

CURRENT CONTEXT

Transition requirements are set out in the following regulatory and policy documents.

Ontario Regulation 181/98 states that, for exceptional students who are age 14 or over and who are not identified solely as gifted, the student's Individual Education Plan (IEP) must include a transition plan for the student's transition from school to work, further education, and/or community living.

Policy/Program Memorandum No. 140, "Incorporating Methods of Applied Behaviour Analysis (ABA) into Programs for Students with Autism Spectrum Disorders (ASD)", May 17, 2007, states that school board staff must plan for the transition between various activities and settings involving students with autism spectrum disorders.

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[1] In this memorandum, *school board(s)* and *board(s)* refers to all district school boards and the following school authorities: James Bay Lowlands Secondary District School Area Board, Moose Factory Island District School Area Board, Moosonee District School Area Board, and Penetanguishene Protestant Separate School Board.

For students in care and/or treatment, custody, and correctional facilities, the document entitled *Guidelines for Approval of Educational Programs for Pupils in Government Approved Care and/or Treatment Custody and Correctional Facilities (2005–06)* outlines how the facility and the board that is providing the educational program will work together to create transition plans for students in these facilities.

REQUIREMENTS

The school principal is responsible for ensuring that student transition plans are developed, implemented, and maintained in accordance with the requirements of this memorandum.

A transition plan must be developed for *all students who have an IEP*, whether or not they have been identified as exceptional by an Identification, Placement, and Review Committee (IPRC) and including those identified as exceptional solely on the basis of giftedness. The transition plan is developed as part of the IEP.

At the discretion of the board, a transition plan may also be developed for students who receive special education programs and/or services but do not have an IEP and have not been identified as exceptional.

All transition plans must be developed in consultation with the parent(s),[2] the student (as appropriate), the postsecondary institution (where appropriate), and relevant community agencies and/or partners, as necessary.

For students who have an IEP, the transition plan must be reviewed as part of the review of the IEP. The results of each review should be used to update the transition plan.

The physical, emotional, and learning needs of the student are considered when developing a transition plan, to determine if the student requires support when making transitions. Students make transitions in a variety of contexts: upon entry to school; between grades; from one program area or subject to another; when moving from school to school or from an outside agency/facility to a school; from elementary to secondary school; and from secondary school to the next appropriate pathway.

If the student has no particular need of support during transitions, the transition plan should state that no actions are required. When transition needs are identified for the student, school board staff must ensure that a transition plan is in place that addresses those needs.

Every transition plan will identify specific transition goals, support needs, the actions required to achieve the goals, roles and responsibilities, and timelines for the implementation and/or completion of each of the identified actions.

The transition plan must be stored in the Ontario Student Record (OSR) documentation folder.

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[2] In this memorandum, *parent(s)* refers to parent(s) and guardian(s).

IMPLEMENTATION

The requirements of this memorandum take effect September 2, 2014.

RESOURCES

School boards and community partners have developed a wide range of strategies, tools, and resources to provide effective transition planning for students. School boards are encouraged to continue to collaborate with community partners and to utilize these resources and supports when implementing the requirements for transition plans set out in this memorandum.

Ontario Ministry of Education

Policy/Program Memorandum No. 157

Date of Issue: June 21, 2013

Effective: Until revoked or modified

Subject: USE OF COPYRIGHT-PROTECTED WORKS FOR EDUCATION

Application: Directors of Education
Supervisory Officers and Secretaries of School Authorities
Principals of Elementary Schools
Principals of Secondary Schools
Principals of Provincial and Demonstration Schools

PURPOSE

The purpose of this memorandum is to set out the recommended guidelines that describe the conditions and limits of fair dealing for education. It also describes the roles and responsibilities of school boards[1] regarding the educational use of copyright-protected works in compliance with the Copyright Act, including uses that are outside permitted provisions. This memorandum also provides recommended compliance strategies for boards.

BACKGROUND

The Copyright Act (R.S.C. 1985) is the federal statute that governs copyright law in Canada. The act is intended to balance the interests that people have in using copyright-protected works with the right of creators to receive payment for the use of those works.

The Copyright Act contains many users' rights provisions that allow the use of a copyright-protected work for specific purposes. One of these users' rights is known as "fair dealing".

On June 29, 2012, the Copyright Act was amended with the passage of the Copyright Modernization Act (S.C. 2012, c.20). A key amendment expanded the fair dealing provision to identify education as one of the eligible purposes for fair dealing. This means that all employees in elementary and secondary school settings will be able to use copyright-protected works *within set conditions and limits without obtaining permission and without paying a fee to the copyright owner or to a copyright collective.*

The Supreme Court of Canada's decision of July 12, 2012, clarified that educators may copy "short excerpts" of copyright-protected works for students in their classes. The court's decision complements the addition of education as an eligible purpose for fair dealing in the Copyright Act.

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[1] In this memorandum, *school board(s)* and *board(s)* refer to district school boards and school authorities.

DEFINITIONS OF TERMS

The following are definitions of terms, as they are used in this memorandum.

copyright owner. A person or a company who owns any of the exclusive rights of copyright in a work, or a representative of the copyright owner.

copyright collective. A copyright collective society, or an organization that administers the rights of copyright owners and can grant permission to use their works and set the conditions and charge fees for that use.

fair dealing. In copyright law, a user's right that permits the use of a copyright-protected work for certain purposes, including for education, without obtaining permission and without paying a fee to the copyright owner.

use. The reproduction or communication of a copyright-protected work, in paper or electronic form.

user. The person who reproduces or communicates a copyright-protected work, in paper or electronic form.

users' rights. Provisions in the Copyright Act that permit use of a copyright-protected work under certain conditions and limits, without obtaining permission and without paying a fee to the copyright owner. Users' rights include fair dealing.

ROLES AND RESPONSIBILITIES OF SCHOOL BOARDS REGARDING COMPLIANCE WITH THE COPYRIGHT ACT

Boards meet their legal responsibilities under the Copyright Act by ensuring that each use of a copyright-protected work meets one of the following conditions:

- The use falls within the "Fair Dealing Guidelines", as outlined in Appendix A.
- The use falls within another Copyright Act provision, as outlined in Appendix B.
- If the use does not fall within any provision outlined in Appendix A or Appendix B, a process for obtaining permission and paying a transaction fee for the use has been followed (see "Uses outside Permitted Provisions" on page 3 of this memorandum).

Fair Dealing

In order to obtain the full benefit of fair dealing in accordance with the Copyright Act, school boards implemented the recommended "Fair Dealing Guidelines" as of December 31, 2012. These guidelines are included in Appendix A to this memorandum. The "Fair Dealing Guidelines" *describe the conditions and limits of fair dealing for education,* and were provided to all boards in the fall of 2012 by their respective provincial trustees' association. The guidelines were prepared for the Copyright

Consortium of the Council of Ministers of Education, Canada (CMEC) by their legal counsel, and are a valuable tool designed to help non-profit educational institutions across Canada comply with the fair dealing provision.

School boards should incorporate the "Fair Dealing Guidelines", as they are stated in Appendix A, into their board policies.

Additional Users' Rights Applicable to Education

In addition to fair dealing, the Copyright Act contains additional users' rights that allow the use of copyright-protected works for educational purposes without obtaining permission and without paying a fee to the copyright owner or copyright collective. The following are examples of additional users' rights applicable to education:

- an Internet provision that allows students and educators to use publicly available Internet materials for their learning and educational pursuits
- the ability to show audio-visual works (such as movies on DVD or video) for educational purposes
- the use of digital displays such as interactive whiteboards and digital projectors to show copyright-protected works in classrooms, provided that the works are used for the purpose of education and are not commercially available in a medium that is appropriate for this purpose

Appendix B to this memorandum provides a summary of the additional users' rights applicable to education.

Uses outside Permitted Provisions

To use a copyright-protected work that falls outside the provisions outlined in Appendix A and Appendix B, prior written permission must be obtained from the copyright owner or copyright collective, and *a transaction fee paid for the use, if required.* If this process has not been followed, the risk to boards is that the use is contrary to law, and to proceed with the planned use is copyright infringement.

In the event that a school board is required to pay damages and/or legal fees as a result of copyright infringement, such expenses will be the responsibility of the board.

COMPLIANCE STRATEGIES FOR BOARDS

To ensure that all board employees understand and comply with copyright law, boards are encouraged to develop strategies and procedures such as the following:

- Boards should ensure that their copyright policies are regularly communicated to all employees and form part of the orientation of new employees.

- Boards should post their copyright policies at all board and school photocopying and printing stations and near other devices used to reproduce and communicate material in electronic form, such as scanners.

- Boards should obtain the "Fair Dealing Guidelines", available on CMEC's website, at www.cmec.ca. The guidelines are a valuable reference tool for educators and can be posted near all computer and work stations.

- To assist employees in determining whether the use of a copyright-protected work falls within the permitted provisions for users' rights applicable to education as outlined in Appendix A and Appendix B, boards are encouraged to recommend that employees consult the information booklet *Copyright Matters!*, published by the Council of Ministers of Education, Canada (CMEC). Booklets have been sent to school board offices for distribution. Each educator should receive a copy of the booklet. The bilingual booklet is available on CMEC's website, at www.cmec.ca.

- School boards should develop a process that clearly defines the steps required for employees to use copyright-protected works that fall outside the provisions in Appendices A and B.

- Boards may designate one or more persons to provide guidance to employees about whether a use falls within or outside the provisions in Appendices A and B and whether permission is required. The same person(s) could also provide advice about obtaining prior written permission and about paying a transaction fee (if required).

APPENDIX A: FAIR DEALING GUIDELINES

Note: The following text has been prepared by the Copyright Consortium of the Council of Ministers of Education, Canada (CMEC) for use by non-profit elementary, secondary, and postsecondary educational institutions across Canada. The "Fair Dealing Guidelines" below are also available on CMEC's website, at www.cmec.ca.

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The fair dealing provision in the Copyright Act permits use of a copyright-protected work without permission from the copyright owner or the payment of copyright royalties. To qualify for fair dealing, two tests must be passed.

First, the "dealing" must be for a purpose stated in the Copyright Act: research, private study, criticism, review, news reporting, education, satire, and parody. Educational use of a copyright-protected work passes the first test.

The second test is that the dealing must be "fair." In landmark decisions in 2004 and in 2012, the Supreme Court of Canada provided guidance as to what this test means in schools and post-secondary educational institutions.

These guidelines apply fair dealing in non-profit K–12 schools and postsecondary educational institutions and provide reasonable safeguards for the owners of copyright-protected works in accordance with the Copyright Act and the Supreme Court decisions.

Guidelines

1. Teachers, instructors, professors, and staff members in non-profit educational institutions may communicate and reproduce, in paper or electronic form, short excerpts from a copyright-protected work for the purposes of research, private study, criticism, review, news reporting, education, satire, and parody.

2. Copying or communicating short excerpts from a copyright-protected work under these Fair Dealing Guidelines for the purpose of news reporting, criticism, or review should mention the source and, if given in the source, the name of the author or creator of the work.

3. A single copy of a short excerpt from a copyright-protected work may be provided or communicated to each student enrolled in a class or course:
    a. as a class handout;
    b. as a posting to a learning- or course-management system that is password protected or otherwise restricted to students of a school or postsecondary educational institution;
    c. as part of a course pack.

4. A short excerpt means:
   a. up to 10 per cent of a copyright-protected work (including a literary work, musical score, sound recording, and an audiovisual work);
   b. one chapter from a book;
   c. a single article from a periodical;
   d. an entire artistic work (including a painting, print, photograph, diagram, drawing, map, chart, and plan) from a copyright-protected work containing other artistic works;
   e. an entire newspaper article or page;
   f. an entire single poem or musical score from a copyright-protected work containing other poems or musical scores;
   g. an entire entry from an encyclopedia, annotated bibliography, dictionary, or similar reference work.

5. Copying or communicating multiple short excerpts from the same copyright-protected work with the intention of copying or communicating substantially the entire work is prohibited.

6. Copying or communicating that exceeds the limits in these Fair Dealing Guidelines may be referred to a supervisor or other person designated by the educational institution for evaluation. An evaluation of whether the proposed copying or communication is permitted under fair dealing will be made based on all relevant circumstances.

7. Any fee charged by the educational institution for communicating or copying a short excerpt from a copyright-protected work must be intended to cover only the costs of the institution, including overhead costs.

APPENDIX B: ADDITIONAL USERS' RIGHTS APPLICABLE TO EDUCATION

This appendix is based on information contained in *Copyright Matters!*, a booklet developed by the Council of Ministers of Education, Canada (CMEC). Please refer to the booklet, available at www.cmec.ca, for more detailed information on copyright law and the conditions of and limits on the use of copyright-protected materials.

In addition to the "Fair Dealing Guidelines" outlined in Appendix A of this memorandum, the following is a summary of additional users' rights in the Copyright Act that are available to educational users. The uses of copyright-protected works that fall within these users' rights do not require payment to and permission of the copyright owner, except where specified in the *Copyright Matters!* booklet.

1. Reproduction of a work to be displayed for the purpose of instruction

Educators may reproduce, in paper or electronic form, a work protected by copyright in order to display the work on interactive whiteboards and digital projectors for the purpose of instruction, provided that the work is not commercially available in an appropriate medium for display.

2. Tests and examinations

Educators may copy, translate, communicate electronically, show, or play a copyright-protected work for a test or examination, provided that the work is not commercially available in an appropriate medium for the purpose of a test or examination.

3. Use of statutes, regulations, and court decisions

Educators and students may copy and communicate the text of federal, provincial, and territorial statutes, regulations, and judicial decisions for educational purposes from every province and territory except Manitoba, Quebec, and Nunavut.

4. Reproduction in alternative formats for persons with perceptual disabilities

Students, and educational institutions on behalf of students, may make a copy of a literary, dramatic, musical, or artistic work (excluding audio-visual works) in an alternative format designed for a person with a perceptual disability, for the benefit of a student. Persons with perceptual disabilities include the blind and visually impaired and persons with learning and other physical disabilities. The work must not be commercially available in the alternative format. Educational institutions are prohibited from making a large-print book for a student with a perceptual disability without written permission from the copyright owner.

5. School libraries

School libraries may use digital technologies such as e-mail to deliver a copyright-protected work as part of an interlibrary loan, provided that measures are taken to protect against further distribution of the material.

6. Playing sound recordings, listening to the radio, and watching television programs (excluding music)

Educators may play sound recordings, listen to the radio, and watch television programs as they are being transmitted (via over-the-air broadcast, cable, satellite, or the Internet) in the classroom provided that the use is for educational purposes. This user's right does not apply to previously recorded radio and television programs.

7. Performing plays and other works on school premises

Students may perform a work protected by copyright, such as a play. An example is the performance of a play in a drama class. However, the performance of the play must meet the following conditions:

- It must take place on school premises.
- It must be for educational purposes.
- It must be not-for-profit (any fee charged by the school for attending the performance of the work must only recover the costs associated with the performance, including overhead costs).
- It must take place before an audience consisting primarily of students of the school, persons acting under the authority of the school, or any person who is directly responsible for developing or implementing a curriculum for the school.

8. Performing music in schools for educational purposes

The public performance of music in elementary and secondary schools, whether recorded or live, is permitted if the performance is for educational purposes. Schools may also play sound recordings containing a musical work, listen to the radio, and watch television programs containing a musical work while the program is being transmitted (via over-the-air broadcast, cable, satellite, or the Internet).

However, the use of music must meet the following conditions:

- It must take place on school premises.
- It must be for educational purposes.
- It must be not-for-profit (any fee charged by the school for attending the performance of the work must only recover the costs associated with the performance, including overhead costs).
- It must take place before an audience consisting primarily of students of the school, persons acting under the authority of the school, or any person who is directly responsible for developing or implementing a curriculum for the school.

Performances or other uses of music that are not for educational purposes, such as performances at school dances and sporting events, must be authorized by the copyright owner, or by a copyright

collective that represents the owner. (Please refer to the *Copyright Matters!* booklet for additional information about what activities require permission and the payment of royalties.)

9. Use of copyright-protected works to create new works

Anyone, including students and educators, may use copyright-protected works to create new works provided that the following conditions are met:

- The new work may only be used for non-commercial purposes.
- The original source must be mentioned.
- The original work used to generate the content must have been legally acquired.
- The resulting user-generated content must not substantially harm the market for the original work.

10. News and news commentary programs from radio or television

Educators, or a person acting under the authority of a school, may make a single copy of a news or news commentary for later viewing by students, provided that the copy is only made at the time the program is aired by the broadcaster or communicated over the Internet.

11. Showing of audio-visual works on school premises

Educators may show audio-visual works on school premises for educational purposes, such as movies on DVD or video, provided that the copy is not one that infringes copyright law. Copies can be purchased or rented from a retail store or borrowed from a library or from a friend.

12. Online learning

Educators and schools may transmit lessons that contain copyright-protected materials to students in real time (synchronous learning) over the Internet, or record a lesson that contains such material and make it available online (asynchronous learning). Students are permitted to make a copy of the lesson for their personal use. However, both students and schools are required to destroy recordings and copies within 30 days after the students enrolled in the course receive their final evaluations (final report cards) for the course.

13. Educational use of the Internet

The "educational use of the Internet" provision allows students and educators to use publicly available Internet material for their learning and educational pursuits. Publicly available materials are those legitimately posted online by content creators and copyright owners without any technological protection measures, such a password, encryption systems, or similar technology intended to limit access or distribution, and without a clearly visible notice prohibiting educational use. The provision requires that the source be mentioned.

Ontario

Ministry of Education

Policy/Program Memorandum No. 158

Date of Issue: March 19, 2014

Effective: Until revoked or modified

Subject: SCHOOL BOARD POLICIES ON CONCUSSION

Application: Directors of Education
Supervisory Officers and Secretary-Treasurers of School Authorities
Principals of Elementary Schools
Principals of Secondary Schools
Principals of Provincial and Demonstration Schools

INTRODUCTION

The Ministry of Education expects all school boards[1] in Ontario to develop and maintain a policy on concussion. The purpose of this memorandum is to provide direction to school boards on the development and implementation of their policy. This memorandum outlines the ministry's expectations regarding the components of a board's policy on concussion. The components include strategies to develop awareness of the seriousness of concussions; strategies for the prevention and identification of concussions; management procedures for diagnosed concussions; and training for board and school staff.

This memorandum applies to all publicly funded elementary and secondary schools, including extended-day programs operated by school boards for full-day kindergarten. However, this memorandum does not apply to licensed child-care providers, including those operating on the premises of publicly funded schools.

CONTEXT

The Ministry of Education is committed to promoting awareness of safety in schools and recognizes that the health and safety of students are essential preconditions for effective learning. All partners in education, including the Ministry of Education, other Ontario ministries, school boards, administrators, educators, school staff, students, parents, school volunteers, and community-based organizations, have important roles to play in promoting student health and safety and in fostering and maintaining healthy and safe environments in which students can learn.

Research demonstrates that a concussion can have a significant impact on a student – cognitively, physically, emotionally, and socially. The implementation of a policy on concussion in each school board is therefore another important step in creating healthier schools in Ontario. It also reinforces the knowledge, skills, and attitudes regarding injury prevention that are developed through the various subjects and disciplines in the Ontario curriculum.

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[1] In this memorandum, *school board(s)* and *board(s)* refer to district school boards and school authorities.

It is very important to students' long-term health and academic success that individuals in schools have information on appropriate strategies to minimize risk of concussion, steps to follow if they suspect that a student may have a concussion, and effective management procedures to guide students' return to learning and physical activity after a diagnosed concussion.

In partnership with the Ministry of Education, the Ministry of Health and Long-Term Care, the Ministry of Tourism, Culture and Sport, medical professionals, sport and recreation organizations, health organizations, and educational organizations, the Ontario Physical and Health Education Association has released a concussion protocol as part of the Ontario Physical Education Safety Guidelines (available at http://safety.ophea.net). The protocol, which is based on current research evidence and knowledge, contains information on concussion prevention, symptoms and signs of a concussion, initial response procedures for a suspected concussion, and management procedures for a diagnosed concussion, including a plan to help a student return to learning and to physical activity.

The Ministry of Education considers the concussion protocol outlined in the Ontario Physical Education Safety Guidelines to be the minimum standard.

DEFINITION AND DIAGNOSIS OF *CONCUSSION*

Concussion is the term for a clinical diagnosis that is made by a medical doctor or a nurse practitioner. The definition of *concussion* given below is adapted from the definition provided in the concussion protocol in the Ontario Physical Education Safety Guidelines.

A concussion:

- is a brain injury that causes changes in the way in which the brain functions and that can lead to symptoms that can be physical (e.g., headache, dizziness), cognitive (e.g., difficulty in concentrating or remembering), emotional/behavioural (e.g., depression, irritability), and/or related to sleep (e.g., drowsiness, difficulty in falling asleep);
- may be caused either by a direct blow to the head, face, or neck or by a blow to the body that transmits a force to the head that causes the brain to move rapidly within the skull;
- can occur even if there has been no loss of consciousness (in fact most concussions occur without a loss of consciousness);
- cannot normally be seen by means of medical imaging tests, such as X-rays, standard computed tomography (CT) scans, or magnetic resonance imaging (MRI) scans.

It should also be noted that injuries that result from a concussion may lead to "second impact syndrome", which is a rare condition that causes rapid and severe brain swelling and often catastrophic results, if an individual suffers a second concussion before he or she is free from symptoms sustained from the first concussion.

Since concussions can only be diagnosed by a medical doctor or a nurse practitioner, educators, school staff, or volunteers cannot make the diagnosis of concussion.

DEVELOPMENT OF THE SCHOOL BOARD POLICY ON CONCUSSION

When developing their policy on concussion, school boards are encouraged to consult with school staff, students, parents, teacher federations, education support staff unions, and other education partners, as appropriate.

The roles and responsibilities of administrators, educators, school staff, students, parents, and school volunteers should be clearly articulated throughout the policy.

Each school board's policy on concussion is expected to contain, at a minimum, the following components:

Development of Awareness. The school board policy should include strategies for sharing information on the seriousness of concussions, and on concussion prevention, identification, and management, with students, parents, board employees, administrators, educators, school staff, volunteers, doctors and nurse practitioners, and community-based organizations. The policy should also contain provisions for making connections with the curriculum, where relevant. In addition, the policy should include strategies for sharing information with organizations that use the school facilities, such as community sports organizations and licensed child-care providers operating in schools of the board.

Prevention. The policy should include strategies for preventing and minimizing the risk of sustaining concussions (and other head injuries) in schools and at off-site school events.

Identification. The policy should include the following:

- information on the safe removal of an injured student from activity (for example, initial emergency response strategies following a blow to a student's head, face, or neck, or a blow to a student's body that transmits a force to the student's head)
- initial concussion-assessment strategies (for example, use of common symptoms and signs of a concussion)
- steps to take following an initial assessment

Management Procedures for a Diagnosed Concussion. Information should be included on the development of an individualized and gradual "return to learning and/or return to physical activity" plan for every student with a diagnosed concussion. There is no preset formula for developing strategies to assist a student with a concussion to return to learning activities, since the recovery process will vary for each student. If a student who is recovering from a concussion is experiencing long-term difficulties that begin to affect his or her learning, the school board should follow established processes for identifying and documenting instructional approaches and resources that may be required for responding to the student's ongoing learning needs (for example, individualized classroom accommodations).

Training. The policy should also include strategies for providing regular and ongoing training on concussion awareness, prevention, identification, and management to relevant school board employees and school volunteers. When developing these strategies, school boards should consider basing the timing and intensity of training on staff roles and responsibilities.

IMPLEMENTATION

School boards should fully implement their policy on concussion as soon as possible, but are expected to have their concussion policy fully implemented no later than January 30, 2015.

School boards should ensure that a process is in place to support ongoing implementation and compliance with the board policy at the school level.

SCHOOL BOARD REPORTING

In accordance with paragraph 27.1 of subsection 8(1) of the Education Act, school boards will be required to report to the Ministry of Education upon implementation and, upon request thereafter, on their activities to achieve the expectations outlined in this memorandum.

SUPPORT FOR BOARDS

The Ontario government has established a web portal with key partners, which is available at www.ontario.ca/concussions. This web portal has been developed to provide reliable, evidence-based information on preventing, identifying, and managing concussions to parents, children and youth, educators, coaches, athletes, and health care providers.

In accordance with Ontario Public Health Standards, boards of health are required to work with community partners on the development and implementation of healthy policies and programs and on the creation or enhancement of safe and supportive environments. School boards are encouraged to consult with their local board of health as they develop and implement their concussion policy.

Ontario

Ministry of Education

Policy/Program Memorandum No. 159

Date of Issue: May 31, 2016

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Subject: COLLABORATIVE PROFESSIONALISM

Application: Chairs of District School Boards
Directors of Education
Supervisory Officers and Secretary-Treasurers of School Authorities
Principals of Elementary Schools
Principals of Secondary Schools
Principals of Provincial and Demonstration Schools

PURPOSE

In Ontario, collaborative professionalism is defined as professionals – at all levels of the education system[1] – working together, sharing knowledge, skills and experience to improve student achievement and well-being of both students and staff.

This Policy/Program Memorandum (PPM) clarifies a shared commitment of stakeholders to building a culture of collaborative professionalism in Ontario's education system. The core priorities of this commitment include:

- building a shared understanding of collaborative professionalism, and articulating a commitment to working together to further improve student achievement and well-being of both students and staff;
- transforming culture and optimizing conditions for learning, working and leading at all levels of the education sector in alignment with *Achieving Excellence: A Renewed Vision for Education in Ontario.*

BACKGROUND

Collaborative professionalism is foundational to *Achieving Excellence,* Ontario's renewed vision for education. This renewed vision is the product of extensive consultation with all education stakeholders across the province.

Ontario has a world class education system and is committed to building on the successes of the past decade to further improve outcomes for all learners.

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[1] In this memorandum, the term *education system* encompasses all learners and education professionals in Ontario, including those in early years and elementary-secondary, and continuing and adult education offered by school boards.

Recent studies have shown that collaborative professionalism has the potential to improve learning and working conditions. Research and evidence demonstrate that networks and communities of professionals are necessary to move systems from great to excellent.

Collaborative professionalism takes into account the legal obligations of the participants in Ontario's education system to conform with or implement their roles, powers and responsibilities as may be set out in the *Education Act* and regulations and PPMs made under the act, and in other relevant legislation, including regulatory college Standards of Practice, as well as the need to honour commitments in the provisions of collective agreements and related memoranda of understanding among parties to such agreements.

THE VISION FOR COLLABORATIVE PROFESSIONALISM

The following sets out the vision for collaborative professionalism in Ontario's education system.

As part of the transformation process, all education professionals will work together to build on Ontario's solid foundation of achievements through the establishment of trusting relationships that value the voices of all, encourage reflection and support professional growth. As such, collaborative professionalism:
- values all voices and is consistent with our shared responsibility to transform culture and provide equitable access to learning for all;
- takes place in and fosters a trusting environment that promotes professional learning;
- involves sharing ideas to achieve a common vision of learning, development and success for all;
- supports and recognizes formal and informal leadership and learning;
- includes opportunities for collaboration at provincial, district and school levels;
- leverages exemplary practices through the communication and sharing of ideas to achieve a common vision.

SHARED UNDERSTANDINGS AND COMMITMENTS

A culture of collaborative professionalism is grounded in:
- professional learning that supports and enables the conditions for student achievement and student and staff well-being;
- recognition of and building on the strengths of all individuals to support professional growth;
- leadership practices that value the expertise and inclusion of all voices, perspectives and roles;
- a commitment to building professional capacity at all levels;
- professional practice informed by research, evidence and knowledge arising from the strengths, needs and interests of students and education professionals;
- a trusting environment where school, school board, and union leaders and the ministry create the necessary conditions, including consideration of time and resources, that enable teams to learn with, and from, each other;

- an environment that can enhance and influence professional judgement, as defined in *Growing Success: Assessment, Evaluation, and Reporting in Ontario Schools*, in supporting effective assessment, instruction, evaluation and reporting of student achievement;
- an understanding that collaborative professionalism is not intended to increase workload.

ROLES AND COLLECTIVE RESPONSIBILITIES

Formal leaders have a unique role in fostering the necessary conditions to motivate and enable teams to learn with, and from, each other. This section outlines how the roles and responsibilities of partners can support the implementation of the PPM.

The ministry will initiate and support the establishment of the Provincial Committee on Ministry Initiatives with representation from teacher federations, unions representing education workers, principal associations, and school board leadership. This provincial committee will meet quarterly each academic year to discuss possible, proposed and existing initiatives, including implications for training, resources and timing. It is anticipated that this committee will play an integral role in transforming focus from an initiatives-based perspective to support more coherent approaches. [*See Appendix A for Purpose and Parameters of the Provincial Committee on Ministry Initiatives. As the work of this committee evolves, these parameters may be amended.*]

District school boards and school authorities will establish a mechanism, or use existing mechanisms[2], to foster consultation, collaboration and communication with federation and other union locals and associations for the implementation of new and existing initiatives.

All partners, individually and collectively, have agreed to uphold and model the principles of collaborative professionalism identified in this PPM to:

- share a vision of professional collaboration and a clear sense of purpose of the work of all education professionals;
- engage all education professionals at all levels in fostering and sustaining the conditions for collaborative professionalism;
- share ideas for the streamlining and enhancing of initiatives and strategies;
- shift from an initiatives-based approach to a coherent system-wide approach to change;
- mobilize research and evidence on effective practices; and
- engage in ongoing reflective practices.

The French-language sector will seek to foster collaborative professionalism in alignment with the specific mandate of French-language education, as defined in Ontario's *Aménagement Linguistique* policy for French-language education.

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[2] Examples of existing mechanisms may include, but are not limited to, Joint Staffing Committees and Joint Professional Development Committees.

APPENDIX A: THE PROVINCIAL COMMITTEE ON MINISTRY INITIATIVES

Purpose

The Provincial Committee on Ministry Initiatives ("the committee") is to provide advice to the Ministry of Education, through a collaborative process, on new or existing ministry initiatives/strategies during development, implementation and review, including implications for training, resources and timing to support improvement to achievement and well-being of all learners.

The committee will be composed of English- and French-language representatives and will meet quarterly.

Parameters of Work

The development of the committee's review process may include, but is not limited to:

- ongoing review of inventory and status of Ministry of Education initiatives/strategies to make recommendations about next steps;
- understanding that some expectations and practices are no longer relevant in today's context and may need to be stopped, adjusted or changed while other expectations and practices may need to emerge, leading to recommendations about next steps;
- providing input into the review, development, implementation and evaluation of new and existing initiatives;
- presenting evidence-based rationale when the ministry is launching new initiatives/strategies;
- providing input about guiding appropriate timing and pacing of new initiatives;
- providing feedback during development, implementation and review of new initiatives;
- integrating possible/proposed new initiatives, materials and resources with existing practices and taking into consideration the impact of initiatives on existing demands on teachers, early childhood educators, education workers, professional student support personnel, school and board leaders; and taking into account innovative and/or interdisciplinary approaches to achieve this;
- sharing effective implementation practices of both school board and provincial levels, as well as sharing lessons learned throughout implementation processes;
- discussing training and professional learning requirements to support the implementation of new initiatives;
- taking into account initiatives of other ministries that may have an impact on school staff, and student achievement and well-being; and
- evaluating potential impacts on resources as well as on workload at all levels, throughout the process of consultation.

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